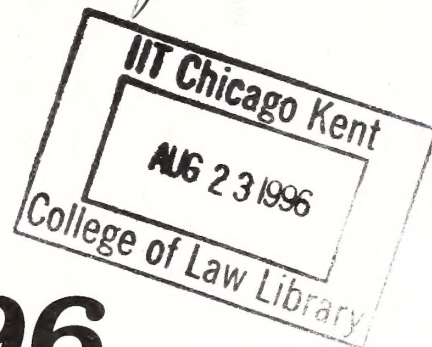


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*Livingston*



**1996**

# ***Illinois Register***

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## **Rules of Governmental Agencies**

Volume 20, Issue 33 — August 16, 1996

Pages 10753 - 11427

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Index Department  
Administrative Code Div.  
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April	19, 1996 - Issue 16: Through	March	31, 1996
July	19, 1996 - Issue 29: Through	June	30, 1996
October	18, 1996 - Issue 42: Through	September	30, 1996
January	17, 1997 - Issue 3: Through	December	31, 1996 (Annual)



## INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. The Register also contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current Register volume year and a Sections Affected Index listing by Title each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume year. Both indices are action coded and are designed to aid the public in monitoring rules.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State statute; and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies; is also published in the Register.

The Register is a weekly update to the *Illinois Administrative Code* (a compilation of the rules adopted by State agencies). The most recent edition of the Code along with the Register comprise the most current accounting of State agencies' rules.

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1 et seq.].

## REGISTER PUBLICATION SCHEDULE 1996

Material Rec'd after 12:00 p.m. on:	And before 12:00 p.m. on:	Will be in Issue #:	Published on:	Material Rec'd after 12:00 p.m. on:	And before 12:00 p.m. on:	Will be in Issue #:	Published on:
Dec. 19, 1995	Dec. 26, 1995	1	Jan. 5, 1996	June 25, 1996	July 2, 1996	28	July 12, 1996
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Jan. 9, 1996	Jan. 16, 1996	4	Jan. 26, 1996	July 16, 1996	July 23, 1996	31	Aug. 2, 1996
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May 7, 1996	May 14, 1996	21	May 24, 1996	Nov. 12, 1996	Nov. 19, 1996	48	Dec. 2, 1996 (Mon.)
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May 28, 1996	June 4, 1996	24	June 14, 1996	Dec. 3, 1996	Dec. 10, 1996	51	Dec. 20, 1996
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June 18, 1996	June 25, 1996	27	July 5, 1996	Dec. 23, 1996	Dec. 31, 1996	2	Jan. 10, 1997

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).



## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Licensing Standards for Day Care Centers

2) Code Citation: 89 Ill. Adm. Code 407

3) Section Numbers: Proposed Action:  
407.31 Amend

4) Statutory Authority: 225 ILCS 10

5) A Complete Description of the Subjects and Issues Involved: Section 407.31 of the Department's Licensing Standards for Day Care Centers requires that all centers providing care to infants or toddlers be located on the first floor of the building. This requirement is intended to be a fire safety regulation and was modeled after the fire safety codes which were in effect on June 15, 1984, when Section 407.31 was last amended.

In the interim, the Office of the State Fire Marshal has adopted the Life Safety Code as its standard for fire safety. The Life Safety Code allows trained fire inspectors to weigh additional criteria (such as the design and construction of the building, the location of exits, fire suppression devices) to determine whether a structure is fire safe. Thus, the State Fire Marshal or the Chicago Fire Department Fire Prevention Division may find a day care center fire safe but, because of the requirement in Section 407.31, the Department of Children and Family Services would refuse to grant the day care center a license.

This requirement in Section 407.31 has unduly restricted the creation of day care centers which serve infants and toddlers which has resulted in a shortage of infant/toddler day care. The Department finds that removing this restriction will encourage the development of safe and adequate day care centers for the care of infants and toddlers.

6) Will this proposed rule replace an emergency rule currently in effect?  
Yes

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: These amendments do not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication of this

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENTS

notice. Comments should be submitted to:

Jacqueline Nottingham, Chief  
Office of Rules and Procedures  
Department of Children and Family Services  
406 East Monroe Street, Station #65  
Springfield, IL 62701-1498  
(217) 524-1983  
TTY: (217) 524-3715

The Department will consider fully all comments on this proposed rulemaking submitted during the 45-day comment period. Comments submitted by small businesses should be identified as such.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses affected: Day care centers which serve infants and toddlers

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance? Compliance is determined by fire prevention experts from the Office of the State Fire Marshal or the Chicago Fire Department. The day care center will be obligated to make the changes recommended by the fire prevention experts to enable use of areas which are not on the ground floor for the care of infants and toddlers.

13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: The need for this amendment was not foreseen at the time of the two most recent regulatory agendas.

The full text of the proposed amendment(s) begins on page \_\_\_\_\_.



## ILLINOIS COMMERCE COMMISSION

## NOTICE OF PROPOSED RULES

1) Heading of the Part: Resolution of Household Goods Disputes

2) Code Citation: 92 Ill. Adm. Code 1456

3) Section Numbers:

1456.10	Proposed Action:
1456.20	New Section
1456.30	New Section
1456.40	New Section
1445.50	New Section

4) Statutory Authority: Implementing Section 18c-5202 and authorized by Section 18c-1202(9) of the Illinois Commercial Transportation Law [625 ILCS 5/18c-1202(9) and 18c-5202].

5) A Complete Description of the Subjects and Issues Involved: This rulemaking proposes the establishment of a dispute resolution process for disputes between household goods carriers and their clients. Disputes frequently arise over the charges for a mover's services or damage claims. In the past, if either party contacted the Commission regarding such a dispute, Commission staff would work informally with the parties to try to reach an accommodation acceptable to everyone. The Commission, though, had no official role in these mediations. However, Public Act 89-444, effective January 25, 1996, requires the Commission to adopt rules to establish an official manner to mediate such disputes.

6) Will this proposed rule replace an emergency amendment currently in effect? No

7) Does this rulemaking contain an automatic repeal date: No

8) Does this proposed rule contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This proposed rule neither creates nor expands any State mandate on units of local government, school districts, or community college districts.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Kathy Campbell  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, IL 62706  
(217) 785-1018

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF PROPOSED RULES

Comments should be filed with within 45 days after the date of this issue of the *Illinois Register*.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses affected: This amendment will affect those household goods carriers that are also small businesses as defined in the Illinois Administrative Procedure Act.

B) Reporting, bookkeeping or other procedures required for compliance:  
None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: This rule was not anticipated at the time the Regulatory Agenda was published.

The full text of the Proposed Rule begins on the next page:



## ILLINOIS COMMERCE COMMISSION

## NOTICE OF PROPOSED RULES

TITLE 92: TRANSPORTATION  
 CHAPTER III: ILLINOIS COMMERCE COMMISSION  
 SUBCHAPTER b: MOTOR CARRIERS OF PROPERTY

## PART 1456

## RESOLUTION OF HOUSEHOLD GOODS DISPUTES

Section	
1456.10	Introduction
1456.20	Definitions
1456.30	Shipper-Carrier Negotiation
1456.40	Mediation
1456.50	Arbitration

AUTHORITY: Implementing Section 18c-5202 and authorized by Section 18c-1202(9) of the Illinois Commercial Transportation Law [625 ILCS 5/18c-1202(9) and 18c-5202].

SOURCE: Adopted at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 1456.10 Introduction**

This Part implements the Illinois General Assembly's charge to the Commission in P.A. 89-444 to specify procedures for resolving disputes between household goods carriers and shippers. The provisions of this Part are intended to establish a program which provides a fair, fast, and inexpensive means of resolving the disputes that inevitably arise between household goods carriers and their shippers, and they shall be interpreted and applied to that end.

**Section 1456.20 Definitions**

"Arbitration" means the process by which a dispute that has been voluntarily submitted by a shipper to the Commission for resolution is decided.

"Carrier" or "household goods carrier" means a person or entity that engages in the for-hire intrastate transportation of household goods.

"Dispute" means a disagreement between a shipper and a carrier relating to the propriety of charges for the services rendered, or loss of or damage to lading from the loading, unloading, or transportation of the lading.

"Household goods" means the personal effects and property used or to be used in a dwelling, when a part of the equipment or supply of such dwelling.

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF PROPOSED RULES

"Mediation" means the informal process, voluntarily agreed to by the shipper, by which a carrier and shipper attempt to achieve a mutually satisfactory resolution of a dispute with the assistance of a Commission-appointed mediator acting as a neutral, impartial, third party.

"Shipper" means a person who utilizes the services of a carrier for the collect-on-delivery transportation of household goods.

**Section 1456.30 Shipper-Carrier Negotiation**

Prior to invoking the dispute resolution procedures established by this Part, the shipper and carrier must make a good faith attempt to resolve the underlying dispute. Disputes are subject to the claims provisions of 92 Ill. Adm. Code 1226. Commission staff will, upon request, provide the parties with information necessary or helpful in negotiating a resolution to the dispute or in following established claim procedures.

**Section 1456.40 Mediation**

If a shipper and carrier are unable to resolve a dispute, either party may request the Commission staff's participation in the dispute resolution process as a mediator.

a) Carriers are required to participate in mediation in good faith. "Good faith participation" includes participation by a representative of the carrier who has authority to agree to settlement. However, the fact that a settlement is not achieved does not in itself constitute evidence of lack of good faith participation.

b) Mediation may take any form or employ any process to which the parties and the mediator agree. Mediation will terminate when the parties reach an agreement about all issues in dispute, when the shipper withdraws as a participant, or when the staff mediator determines that there is no reasonable likelihood that the parties will reach an agreement on any issues remaining in dispute.

c) At the conclusion of mediation, the staff mediator will prepare a memorandum for the parties reflecting the terms of their agreement. If any issues remain unresolved, the staff mediator will give the parties a written opinion as to the merits of the issues remaining in dispute, based on the information available to the staff mediator and the applicable law. The opinion expressed by the staff mediator shall not be binding on the Commission.

**Section 1456.50 Arbitration**

If some or all of the issues in dispute between a shipper and a carrier remain unresolved after mediation, the shipper may request arbitration of the dispute by a Commission arbitrator, appointed by the Commission. Carriers are deemed



## ILLINOIS COMMERCE COMMISSION

## NOTICE OF PROPOSED RULES

to join in a request for arbitration submitted by a shipper.

- a) To commence arbitration, a shipper must sign and submit an Agreement to Arbitrate form obtained from the Commission, along with an arbitration fee of \$25. When a shipper submits a form, the carrier and shipper thereby agree to abide by the terms of the arbitration award.
- b) The Agreement to Arbitrate will specify that the arbitration award will be based solely on written submissions, documents and exhibits, unless the arbitrator and both parties agree to an oral hearing. The Commission will serve a copy of any submissions from one party onto the other party.
  - 1) Along with a signed Agreement to Arbitrate, the shipper shall submit two copies of a statement setting forth a brief description of the issues in dispute and its positions and arguments on the issues, accompanied by two copies of whatever documents, exhibits or other written submissions the shipper believes to be relevant to those issues.
  - 2) Within 10 business days after the Commission has mailed the Agreement to Arbitrate and shipper's submissions to the carrier, the carrier may submit two copies of a statement and other written submissions responding to the shipper's submissions and setting forth its own positions and arguments about the issues in dispute.
  - 3) Within 7 business days after the Commission has mailed the carrier's submissions to the shipper, the shipper may submit two copies of a reply to the carrier's submissions.
  - c) Within 10 business days after the time for receiving the shipper's reply, the Commission arbitrator shall prepare, sign, and mail to the parties a written award disposing of all issues in dispute. The award shall include a brief statement of the findings of fact made by the arbitrator and the basis for the award.
  - d) Unless otherwise provided by this Section, proceedings under this Section shall be governed by the provisions of the Uniform Arbitration Act [710 ILCS 5].

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Effluent Standards
- 2) Code Citation: 35 Ill. Adm. Code 304
- 3) Section Numbers:  
304.122 Amend  
304.301 Repeal
- 4) Statutory Authority: 415 ILCS 5/13, 27 and 28.2
- 5) A Complete Description of the Subjects and Issues Involved: These proposed amendments are part of the Illinois Environmental Protection Agency's (Agency) Triennial Review. The proposed amendments revise the Board's General Use Water Quality Standards for ammonia nitrogen. This proposal reorganizes that portion of the Board's effluent regulations that provide for exception from the prohibition against causing or contributing to a violation of the ammonia water quality standards. The existing exception procedure at 35 Ill. Adm. Code 304.301 is proposed for repeal, and new subsections (c) and (d) are proposed for addition to Section 304.122.  
  
Pursuant to 415 ILCS 5/28.2(e), the Illinois Environmental Protection Agency has certified that the proposed revisions to the Water Quality Standards are federally required. These proposed amendments also provide a directive to the Agency controlling the application of the amended rules to dischargers required to have a National Pollutant Discharge Elimination System (NPDES) permit. The Agency is required to set effluent discharge limits at existing amounts (with an allowance for growth), and when the Agency determines according to specified factors that the receiving water body has been modified by effluents, the Agency is required to establish effluent permit limits no lower than specified amounts.  
  
A more detailed description of the amendments can be found in the Board's opinion in Docket R94-1(B) of July 18, 1996 which is available from the Board.
- 6) Will this rulemaking replace any emergency rulemaking currently in effect?  
No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed rulemakings pending on this Part? No
- 10) Statement of Statewide Policy Objectives: These proposed amendments are consistent with the policy objectives set out in Title III of the Environmental Protection Act [415 ILCS 5/Title III]. The proposed



## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENT

revisions to water quality standards impose a federal mandate on units of local government that operate sewage treatment works.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R94-1(B) and be addressed to:

Ms. Dorothy Gunn, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 West Randolph Street  
Chicago, IL 60601  
(312) 814-6931

Questions concerning this rulemaking should be addressed to Diane O'Neill at (312) 814-6062.

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: The existing rules and proposed amendments require reporting, bookkeeping and other procedures including the taking of effluent and stream samples, water analysis, and reporting.

- C) Types of professional skills necessary for compliance: Compliance with the existing rules and proposed amendments may require the services of biologists, chemists and registered professional engineers.

- 13) Regulatory Agenda on which this rulemaking was summarized: July 1996

The full text of the Proposed Amendment begins on the next page:

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENT

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE C: WATER POLLUTION  
CHAPTER I: POLLUTION CONTROL BOARD

## PART 304

## EFFLUENT STANDARDS

## SUBPART A: GENERAL EFFLUENT STANDARDS

Section	
304.101	Preamble
304.102	Dilution
304.103	Background Concentrations
304.104	Averaging
304.105	Violation of Water Quality Standards
304.106	Offensive Discharges
304.120	Deoxygenating Wastes
304.121	Bacteria
304.122	Total Ammonia Nitrogen (as N: STORET number 00610)
304.123	Phosphorus (STORET number 00665)
304.124	Additional Contaminants
304.125	pH
304.126	Mercury
304.140	Delays in Upgrading (Repealed)
304.141	NPDES Effluent Standards
304.142	New Source Performance Standards (Repealed)

## SUBPART B: SITE SPECIFIC RULES AND EXCEPTIONS NOT OF GENERAL APPLICABILITY

Section	
304.201	Wastewater Treatment Plant Discharges of The Metropolitan Water Reclamation District of Greater Chicago
304.202	Chlor-alkali Mercury Discharges in St. Clair County
304.203	Copper Discharges by Olin Corporation
304.204	Schoenberger Creek: Groundwater Discharges
304.205	John Deere Foundry Discharges
304.206	Alton Water Company Treatment Plant Discharges
304.207	Galesburg Sanitary District Deoxygenating Wastes Discharges
304.208	City of Lockport Treatment Plant Discharges
304.209	Wood River Station Total Suspended Solids Discharges
304.210	Alton Wastewater Treatment Plant Discharges
304.211	Discharges From Borden Chemicals and Plastics Operating Limited Partnership Into an Unnamed Tributary of Long Point Slough
304.212	Sanitary District of Decatur Discharges
304.213	UNO-VEN Refinery Ammonia Discharge
304.214	Mobil Oil Refinery Ammonia Discharge
304.215	City of Tuscola Wastewater Treatment Facility Discharges



POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

31, 1990; amended in R88-21(B) at 14 Ill. Reg. 12338, effective July 18, 1990; amended in R84-44 at 14 Ill. Reg. 20719, effective December 11, 1990; amended in R86-14 at 15 Ill. Reg. 241, effective December 18, 1990; amended in R93-8 at 18 Ill. Reg. 287, effective December 23, 1993; amended in R87-33 at 18 Ill. Reg. 11574, effective July 7, 1994; amended in R95-14 at 20 Ill. Reg. 3528, effective February 8, 1996; amended in R94-1(B) at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

BOARD NOTE: This Part implements the Illinois Environmental Protection Act as of July 1, 1994.

SUBPART A: GENERAL EFFLUENT STANDARDS

Section 304.122 Total Ammonia Nitrogen (as N: STORET number 00610)

- a) No effluent from any source which discharges to the Illinois River, the Des Plaines River downstream of its confluence with the Chicago River System or the Calumet River System, and whose untreated waste load is 50,000 or more population equivalents shall contain more than 2.5 mg/L of total ammonia nitrogen as N during the months of April through October, or 4 mg/L at other times.
- b) Sources discharging to any of the above waters and whose untreated waste load cannot be computed on a population equivalent basis comparable to that used for municipal waste treatment plants and whose total ammonia nitrogen as N discharge exceeds 45.4 kg/day (100 pounds per day) shall not discharge an effluent of more than 3.0 mg/L of total ammonia nitrogen as N.
- c) In addition to the effluent standards set forth in subsections (a) and (b) of this Section, all sources are subject to Section 304.105 unless the Agency determines as part of the NPDES Permit Program under 35 Ill. Adm. Code 309: Subpart A that alternate effluent standards are applicable pursuant to subsection (d) of this Section.
- d) All dischargers to effluent modified waters as defined at 35 Ill. Adm. Code 302.213, except for treatment works qualifying under Section 304.120(c), shall have an effective NPDES permit with monthly average effluent limits of 1.5 mg/L total ammonia as N during the months of April through October, and 4.0 mg/L total ammonia as N at other times, as well as the following restrictions:
  - 1) Dischargers achieving lower ammonia concentrations than given above, yet not meeting the chronic water quality standards of 35 Ill. Adm. Code 302.212(b), shall maintain their existing level of performance consistent with the facility's expected organic and hydraulic loadings for the duration of their NPDES permit.
  - 2) New or expanded discharges that increase ammonia loading to general use waters and/or create effluent modified waters or portions of waters must demonstrate compliance to the Agency with the nondegradation requirements at 35 Ill. Adm. Code 302.105.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

- 304.216 Newton Station Suspended Solids Discharges
- 304.218 City of Pana Phosphorus Discharge
- 304.219 North Shore Sanitary District Phosphorus Discharges
- 304.220 East St. Louis Treatment Facility, Illinois-American Water Company
- 304.221 Ringwood Drive Manufacturing Facility in McHenry County
- 304.222 Intermittent Discharge of TRC

SUBPART C: TEMPORARY EFFLUENT STANDARDS

- Section
- 304.301 Exception for Ammonia Nitrogen Water Quality Violations (Repealed)
- 304.302 City of Joliet East Side Wastewater Treatment Plant
- 304.303 Amerock Corporation, Rockford Facility

APPENDIX A References to Previous Rules

AUTHORITY: Implementing Section 13 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/13 and 27].

SOURCE: Filed with the Secretary of State January 1, 1978; amended at 2 Ill. Reg. 30, p. 343, effective July 27, 1978; amended at 2 Ill. Reg. 44, p. 151, effective November 2, 1978; amended at 3 Ill. Reg. 20, p. 95, effective May 17, 1979; amended at 3 Ill. Reg. 25, p. 190, effective June 21, 1979; amended at 4 Ill. Reg. 20, p. 53, effective May 7, 1980; amended at 6 Ill. Reg. 563, effective December 24, 1981; codified at 6 Ill. Reg. 7818; amended at 6 Ill. Reg. 11161, effective September 7, 1982; amended at 6 Ill. Reg. 13750, effective October 26, 1982; amended at 7 Ill. Reg. 3020, effective March 4, 1983; amended at 7 Ill. Reg. 8111, effective June 23, 1983; amended at 7 Ill. Reg. 14515, effective October 14, 1983; amended at 7 Ill. Reg. 14910, effective November 14, 1983; amended at 8 Ill. Reg. 1600, effective January 18, 1984; amended at 8 Ill. Reg. 3687, effective March 14, 1984; amended at 8 Ill. Reg. 8237, effective June 8, 1984; amended at 9 Ill. Reg. 1379, effective January 21, 1985; amended at 9 Ill. Reg. 4510, effective March 22, 1985; peremptory amendment at 10 Ill. Reg. 456, effective December 23, 1985; amended at 11 Ill. Reg. 3117, effective January 28, 1987; amended in R84-13 at 11 Ill. Reg. 7291, effective April 3, 1987; amended in R86-17(A) at 11 Ill. Reg. 14748, effective August 24, 1987; amended in R84-16 at 12 Ill. Reg. 2445, effective January 15, 1988; amended in R83-23 at 12 Ill. Reg. 8658, effective May 10, 1988; amended in R87-27 at 12 Ill. Reg. 9905, effective May 27, 1988; amended in R82-7 at 12 Ill. Reg. 10712, effective June 9, 1988; amended in R85-29 at 12 Ill. Reg. 13966, effective July 12, 1988; amended in R86-3 at 12 Ill. Reg. 20126, effective August 23, 1988; amended in R84-20 at 13 Ill. Reg. 851, effective January 9, November 16, 1988; amended in R85-11 at 13 Ill. Reg. 2060, effective February 6, 1989; amended in R88-1 at 13 Ill. Reg. 5976, effective April 18, 1989; amended in R86-17(B) at 13 Ill. Reg. 7754, effective May 4, 1989; amended in R88-22 at 13 Ill. Reg. 8880, effective May 26, 1989; amended in R87-6 at 14 Ill. Reg. 6777, effective April 24, 1990; amended in R87-36 at 14 Ill. Reg. 9437, effective May



## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENT

(Source: Amended at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART C: TEMPORARY EFFLUENT STANDARDS

Section 304.301 Exception for Ammonia Nitrogen Water Quality Violations  
(Repealed)

- a) Section 304.305--shall not apply to 35-III-Adm-Code-302-212-for-any source during the months of November through March except that during the months of November through March no source shall discharge an effluent containing a concentration of ammonia nitrogen greater than 4.0 mg/l if the discharge is alone or in combination with other discharges--causes or contributes to a violation of 35-III-Adm-Code 302-212.
- b) Compliance with the provisions of subsection (a) shall be achieved by March 31, 1979, or such other date as required by NPDES permit or as ordered by the Board under Title VIII or Title IX of the Environmental Protection Act.
- c) After July 1, 1991, the exemptions provided in this Section shall terminate.

(Source: Repealed at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF PUBLIC AID

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- 1) Heading of the Part: Aid to Families with Dependent Children
- 2) Code Citation: 89 Ill. Adm. Code 112
- 3) Section Numbers: Proposed Action:  
112.66 New Section
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13] and Public Act 89-0562/House Bill 3177 [305 ILCS 5/4-19].
- 5) Complete Description of the Subjects and Issues Involved: State legislation has passed which will result in the development of a demonstration to target and aid in the removal of barriers, such as alcohol and substance abuse, to help AFDC recipients move from welfare to work. Pursuant to provisions of Public Act 89-0562, the Department, in cooperation with the Department of Alcoholism and Substance Abuse, is authorized to conduct a demonstration project. The demonstration project will require clients, who are identified as having an alcohol or substance abuse problem, to participate in an alcohol or substance abuse treatment program, as a condition of eligibility for AFDC, if living in a demonstration site. Public Act 89-0562 also specifies that at the end of the demonstration, the project may be expanded to other areas of the State or the entire State. A federal waiver is necessary to implement this demonstration project.

If the Department identifies a client as having a substance abuse problem and failure to cooperate with mandatory treatment occurs, deletion from the grant would result. This rulemaking allows the Department to implement sanctions that would affect AFDC-R and AFDC-U clients. The sanctions would be increasingly punitive, beginning with deletion from the grant, until the client cooperates, up to a maximum of six months.

In the designated pilot areas, the Department of Alcoholism and Substance Abuse will train Public Aid caseworkers to screen all clients for possible substance abuse. AFDC recipients that have been identified with a substance abuse problem would be mandated to seek treatment and would be referred to an alcoholism and substance abuse treatment program. The Department would provide the cost of transportation to the designated treatment center. Failure to comply could result in possible reduced benefits, imposition of the DASA provider as protective payee, or both.

These proposed amendments establish that all designated adult AFDC-R and AFDC-U clients living in a demonstration project area, identified as having an alcohol or substance abuse problem, must participate in an alcohol or substance abuse treatment program as a condition of eligibility, unless the adult is employed 30 hours per week or more. The demonstration project may potentially include as many as five areas: Winnebago and Peoria counties and three Chicago district offices (Kenwood,



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Oakland and Pershing). AFDC cases in the demonstration project area will be assigned to an experimental or a control group. The adults in the experimental cases, meeting the criteria, will be subject to these provisions.

Failure to participate in an alcohol or substance abuse treatment program will result in progressive sanction or sanctions for the adult:

- 1) First sanction - The client will be deleted from the cash grant until cooperation, as defined by the DASA treatment provider.
- 2) Second sanction - The client will be deleted from the cash grant for three months or until cooperation, as defined by the DASA treatment provider, whichever is longer.
- 3) Third and subsequent sanctions - The client will be deleted from the cash grant for six months or until cooperation, as defined by the DASA treatment provider, whichever is longer.
- 4) Supportive services will be provided.

Adults in the experimental cases who must participate in an alcohol or substance abuse treatment program, as a condition of eligibility, are JOBS mandatory. For these individuals, the exemption criteria listed in Section 112.71 will not apply.

Final analyses will rest on a comparison of two groups:

1. a control group consisting of approximately 1,296 cases including those voluntarily participating with no resulting sanctions; and
2. an experimental group consisting of approximately 1,296 cases. The experimental group members will be targeted via their mandatory involvement in the JOBS program.

Companion amendments are being proposed in 89 Ill. Adm. Code 170.

- 6) Will these proposed amendments replace emergency amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes

Sections Proposed Action Illinois Register Citation  
112.98 Amendment April 26, 1996 (20 Ill. Reg. 5965)

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- 112.110 Amendment June 28, 1996 (20 Ill. Reg. 8433)  
112.151 Amendment June 28, 1996 (20 Ill. Reg. 8433)

- 10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.

- 11) Time, Place, and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

Judy Umunna  
Bureau of Rules and Regulations  
Illinois Department of Public Aid  
100 South Grand Ave. E., 3rd Floor  
Springfield, Illinois 62762  
(Phone: (217) 524-0081)

The Department requests the submission of written comments within 30 days after the publication of this notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

The Department is unaware of any effect this rulemaking may have on small businesses, small municipalities or not-for-profit corporations. The Department will accept and consider any written comments concerning such effects that may be submitted in response to these proposed amendments. These entities may submit comments in writing to the Department at the above address in accordance with the regulatory flexibility provisions in Section 5-30 of the Illinois Administrative Procedure Act [5 ILCS 100/5-30]. These entities shall indicate their status as small businesses, small municipalities, or not-for-profit corporations as part of any written comments they submit to the Department.

- 12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None

- 13) Regulatory agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: This rulemaking was not anticipated by the Department when the two most recent



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regulatory agendas were published.

The full text of the Proposed Amendments begins on the next page:

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TITLE 89: SOCIAL SERVICES  
CHAPTER I: DEPARTMENT OF PUBLIC AID  
SUBCHAPTER b: ASSISTANCE PROGRAMS

## PART 112

## AID TO FAMILIES WITH DEPENDENT CHILDREN

## SUBPART A: GENERAL PROVISIONS

## Section

112.1 Description of the Assistance Program  
112.5 Incorporation by Reference

## SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

## Section

112.8 Caretaker Relative  
112.9 Client Cooperation  
112.10 Citizenship  
112.20 Residence  
112.30 Age  
112.40 Relationship  
112.50 Living Arrangement  
112.52 Social Security Numbers  
112.54 Assignment of Medical Support Rights  
112.60 Lack of Parental Support or Care  
112.61 Death of a Parent  
112.62 Incapacity of a Parent  
112.63 Continued Absence of a Parent  
112.64 Unemployment of the Parent  
112.65 Employment Plan  
112.66 Alcohol and Substance Abuse Treatment  
112.67 Restriction in Payment to Households Headed by a Minor Parent

## SUBPART C: JOB OPPORTUNITIES AND BASIC SKILLS TRAINING (JOBS) PROGRAM

## Section

112.70 Participation Requirements for JOBS  
112.71 Individuals Exempt from JOBS  
112.72 JOBS Participation/Cooperation Requirements  
112.73 Adolescent Parent Program  
112.74 JOBS Initial Assessment Process/Development of an Employability Plan  
112.76 JOBS Orientation  
112.77 Conciliation and Fair Hearings  
112.78 JOBS Components  
112.79 JOBS Sanctions  
112.80 Good Cause for Failure to Comply with JOBS Participation Requirements  
112.81 Responsible Relative Eligibility for JOBS

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112.82	JOB'S Supportive Services
112.83	Young Parents Program
112.84	Work Experience Evaluation Project
112.85	Four Year College/Vocational Training Demonstration Project
SUBPART E: PROJECT ADVANCE	
Section	Project Advance
112.86	Project Advance Experimental and Control Groups
112.87	Project Advance Participation Requirements of Experimental Group
112.88	Members and Adjudicated Fathers
112.89	Project Advance Cooperation Requirements of Experimental Group
	Members and Adjudicated Fathers
112.90	Project Advance Sanctions
112.91	Good Cause for Failure to Comply with Project Advance
112.93	Individuals Exempt From Project Advance
112.95	Project Advance Supportive Services

## SUBPART F: EXCHANGE PROGRAM

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## Exchange Program

## SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY

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112.101  
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Unearned Income  
Unearned Income of Stepparent or Parent  
Budgeting Unearned Income  
Application And/Or Date Of Decision  
Initial Receipt of Unearned Income  
Termination of Unearned Income

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Exempt Unearned Income  
Education Benefits  
Incentive Allowances  
Unearned Income In-Kind  
Earmarked Income  
Lump Sum Payments  
Protected Income  
Earned Income  
Earned Income Tax Credit  
Budgeting Earned Income  
Budgeting Earned Income of Applicants Employed On Date of Application  
And/Or Date Of Decision  
Initial Employment  
Budgeting Earned Income For Contractual Employees

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112.136	Budgeting Earned Income For Non-Contractual School Employees
112.137	Termination of Employment
112.138	Transitional Payments (Repealed)
112.140	Exempt Earned Income
112.141	Earned Income Exemption
112.142	Exclusion From Earned Income Exemption
112.143	Recognized Employment Expenses
112.144	Income From Work/Study/Training Program
112.145	Earned Income From Self-Employment
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112.148	Payments from the Illinois Department of Children and Family Services
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112.150	Assets
112.151	Exempt Assets
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112.154	Property Transfers (Repealed)
112.155	AFDC Income Limit

## SUBPART H: PAYMENT AMOUNTS

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Payment Levels in AFDC  
Payment Levels in AFDC Group I Counties  
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Persons Who May Be Included in the Assistance Unit  
Presumptive Eligibility  
Monthly Reporting  
Retrospective Budgeting  
Budgeting Schedule  
Strikers  
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Responsibility of Sponsors of Aliens  
Special Needs Authorizations  
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Redetermination of Eligibility  
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112.332 Extension of Medical Assistance Due to Loss of Earned Income Disregard (Repealed)

112.340 New Start Payments to Individuals Released from Department of Corrections Facilities

## SUBPART J: CHILD CARE

## Section

112.350 Child Care

112.352 Child Care Eligibility

112.352 Qualified Provider

112.354

112.356 Notification of Available Services

112.358 Participant Rights and Responsibilities

112.362 Additional Service to Secure or Maintain Child Care Arrangements

112.364 Rates of Payment for Child Care

112.366 Method of Providing Child Care

112.370 Non-JOBS Education and Training Program

## SUBPART K: TRANSITIONAL CHILD CARE

## Section

112.400 Transitional Child Care Eligibility

112.404 Duration of Eligibility for Transitional Child Care

112.406 Loss of Eligibility for Transitional Child Care

112.408 Qualified Child Care Providers

112.410 Notification of Available Services

112.412 Participant Rights and Responsibilities

112.414 Child Care Overpayments and Recoveries

112.416 Fees for Service for Transitional Child Care

112.418 Rates of Payment for Transitional Child Care

**AUTHORITY:** Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Att. IV and 12-13].

**SOURCE:** Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amendment at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979; peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13,

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1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 11, 1983; rules repealed and new rules adopted and codified at 7 Ill. Reg. 2720, effective February 28, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 11284, effective August 26, 1983; amended at 7 Ill. Reg. 13920, effective October 7, 1983; amended at 7 Ill. Reg. 15690, effective November 9, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 16105; amended at 7 Ill. Reg. 17344, effective December 21, 1983; amended at 8 Ill. Reg. 213, effective December 27, 1983; emergency amendment at 8 Ill. Reg. 569, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 4176, effective March 19, 1984; amended at 8 Ill. Reg. 5207, effective April 9, 1984; amended at 8 Ill. Reg. 7226, effective May 16, 1984; amended at 8 Ill. Reg. 11391, effective June 27,



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1984; amended at 8 Ill. Reg. 12333, effective June 29, 1984; amended (by adding Sections being codified with no substantive change) at 8 Ill. Reg. 17894; peremptory amendment at 8 Ill. Reg. 18127, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 19889, effective October 1, 1984; amended at 8 Ill. Reg. 19983, effective October 3, 1984; emergency amendment at 8 Ill. Reg. 21666, effective October 19, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21621, effective October 23, 1984; amended at 8 Ill. Reg. 25023, effective December 19, 1984; amended at 9 Ill. Reg. 282, effective January 1, 1985; amended at 9 Ill. Reg. 4062, effective March 15, 1985; amended at 9 Ill. Reg. 8155, effective May 17, 1985; emergency amendment at 9 Ill. Reg. 10094, effective June 19, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11317, effective July 5, 1985; amended at 9 Ill. Reg. 12795, effective August 9, 1985; amended at 9 Ill. Reg. 15887, effective October 4, 1985; amended at 9 Ill. Reg. 16277, effective October 11, 1985; amended at 9 Ill. Reg. 17827, effective November 18, 1985; emergency amendment at 10 Ill. Reg. 354, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 1172, effective January 10, 1986; amended at 10 Ill. Reg. 3641, effective January 30, 1986; amended at 10 Ill. Reg. 4885, effective March 7, 1986; amended at 10 Ill. Reg. 8118, effective May 1, 1986; amended at 10 Ill. Reg. 10628, effective June 1, 1986; amended at 10 Ill. Reg. 11017, effective June 6, 1986; Sections 112.78 through 112.86 and 112.88 recodified to 89 Ill. Adm. Code 160 at 10 Ill. Reg. 11928; emergency amendment at 10 Ill. Reg. 12107, effective July 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 12650, effective July 14, 1986; amended at 10 Ill. Reg. 14681, effective August 29, 1986; amended at 10 Ill. Reg. 15101, effective September 5, 1986; amended at 10 Ill. Reg. 15621, effective September 19, 1986; amended at 10 Ill. Reg. 21860, effective December 12, 1986; amended at 11 Ill. Reg. 2280, effective January 16, 1987; amended at 11 Ill. Reg. 3140, effective January 30, 1987; amended at 11 Ill. Reg. 4682, effective March 6, 1987; amended at 11 Ill. Reg. 5223, effective March 11, 1987; amended at 11 Ill. Reg. 6228, effective March 20, 1987; amended at 11 Ill. Reg. 9927, effective May 15, 1987; amended at 11 Ill. Reg. 12003, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 12432, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 12908, effective July 30, 1987; emergency amendment at 11 Ill. Reg. 12935, effective August 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13625, effective August 1, 1987; amended at 11 Ill. Reg. 14755, effective August 26, 1987; amended at 11 Ill. Reg. 18679, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 18781, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20114, effective December 4, 1987; Sections 112.90 and 112.95 recodified to Sections 112.52 and 112.54 at 11 Ill. Reg. 20610; amended at 11 Ill. Reg. 20889, effective December 14, 1987; amended at 12 Ill. Reg. 844, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1929, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 2126, effective January 12, 1988; SUBPARTS C, D and E recodified to SUBPARTS G, H and I at 12 Ill. Reg. 2136; amended at 12 Ill. Reg. 3487, effective January 22, 1988; amended at 12 Ill. Reg. 6159, effective March 18, 1988; amended at 12 Ill. Reg. 6694, effective March 22, 1988; amended at 11 Ill. Reg. 7336, effective May 1, 1988; amended at 12 Ill. Reg. 7673, effective

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

April 20, 1988; amended at 12 Ill. Reg. 9032, effective May 20, 1988; amended at 12 Ill. Reg. 10481, effective June 13, 1988; amended at 12 Ill. Reg. 14172, effective August 30, 1988; amended at 12 Ill. Reg. 14669, effective September 16, 1988; amended at 13 Ill. Reg. 70, effective January 1, 1989; amended at 13 Ill. Reg. 6017, effective April 14, 1989; amended at 13 Ill. Reg. 8567, effective May 22, 1989; amended at 13 Ill. Reg. 16006, effective October 6, 1989; emergency amendment at 13 Ill. Reg. 16142, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 14 Ill. Reg. 705, effective January 1, 1990; amended at 14 Ill. Reg. 3170, effective February 13, 1990; amended at 14 Ill. Reg. 3575, effective February 23, 1990; amended at 14 Ill. Reg. 6306, effective April 16, 1990; amended at 14 Ill. Reg. 10379, effective June 20, 1990; amended at 14 Ill. Reg. 13652, effective August 10, 1990; amended at 14 Ill. Reg. 14140, effective August 17, 1990; amended at 14 Ill. Reg. 16937, effective September 30, 1990; emergency amendment at 15 Ill. Reg. 338, effective January 1, 1991, for a maximum of 150 days; emergency expired July 4, 1991; amended at 15 Ill. Reg. 5275, effective April 1, 1991; amended at 15 Ill. Reg. 5684, effective April 10, 1991; amended at 15 Ill. Reg. 11127, effective July 19, 1991; amended at 15 Ill. Reg. 11447, effective July 25, 1991; amended at 15 Ill. Reg. 14227, effective September 30, 1991; amended at 15 Ill. Reg. 17308, effective November 18, 1991; amended at 16 Ill. Reg. 9972, effective June 15, 1992; amended at 16 Ill. Reg. 11550, effective July 15, 1992; emergency amendment at 16 Ill. Reg. 11652, effective July 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 13629, effective September 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 17724, effective November 9, 1992; amended at 16 Ill. Reg. 20147, effective December 14, 1992; amended at 17 Ill. Reg. 357, effective December 24, 1992; amended at 17 Ill. Reg. 813, effective January 15, 1993; amended at 17 Ill. Reg. 2253, effective February 15, 1993; amended at 17 Ill. Reg. 4312, effective March 25, 1993; emergency amendment at 17 Ill. Reg. 6325, effective April 9, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 6792, effective April 21, 1993; amended at 17 Ill. Reg. 15017, effective September 3, 1993; amended at 17 Ill. Reg. 19156, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 19696, effective November 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 5909, effective March 31, 1994; amended at 18 Ill. Reg. 6994, effective April 27, 1994; amended at 18 Ill. Reg. 8703, effective June 1, 1994; amended at 18 Ill. Reg. 10774, effective June 27, 1994; amended at 18 Ill. Reg. 12805, effective August 5, 1994; amended at 18 Ill. Reg. 15774, effective October 17, 1994; expedited correction at 19 Ill. Reg. 998, effective October 17, 1994; amended at 19 Ill. Reg. 2845, effective February 24, 1995; amended at 19 Ill. Reg. 5609, effective March 31, 1995; amended at 19 Ill. Reg. 7883, effective June 5, 1995; emergency amendment at 19 Ill. Reg. 10206, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 12011, effective August 7, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 12664, effective September 1, 1995; emergency amendment at 19 Ill. Reg. 15244, effective November 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15661, effective November 3, 1995; emergency amendment at 19 Ill. Reg. 15839, effective November 15, 1995, for a maximum of



## DEPARTMENT OF PUBLIC AID

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150 days; emergency amendment at 19 Ill. Reg. 16295, effective December 1, 1995, for a maximum of 150 days; amended at 20 Ill. Reg. 845, effective January 1, 1996; amended at 20 Ill. Reg. 3538, effective February 15, 1996; amended at 20 Ill. Reg. 5648, effective March 30, 1996; amended at 20 Ill. Reg. 6018, effective April 12, 1996; amended at 20 Ill. Reg. 6498, effective April 29, 1996; amended at 20 Ill. Reg. 7892, effective June 1, 1996; amended at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section 112.66 Alcohol and Substance Abuse Treatment

a) All designated adult AFDC-R and AFDC-U clients living in a demonstration project area identified as having an alcohol or substance abuse problem must participate in an alcohol or substance abuse treatment program as a condition of eligibility, unless the adult is employed 30 hours per week or more. AFDC cases in the demonstration project area are assigned to experimental or control groups. The adults in the experimental cases meeting the criteria are subject to this policy.

b) Failure to participate in an alcohol or substance abuse treatment program will result in progressive sanction or sanctions for the adult:

- 1) First sanction - The client is deleted from the cash grant until cooperation, as defined by the DASA treatment provider.
- 2) Second sanction - The client is deleted from the cash grant for three months or until cooperation, as defined by the DASA treatment provider, whichever is longer.
- 3) Third and subsequent sanctions - The client is deleted from the cash grant for six months or until cooperation, as defined by the DASA treatment provider, whichever is longer.
- 4) Supportive services will be provided.

c) Adults in the experimental cases who must participate in an alcohol or substance abuse treatment program as a condition of eligibility are JOBS mandatory. For these individuals, the exemption criteria listed in Section 112.71 do not apply.

d) The provisions of this Section are subject to receipt of federal waivers.

(Source: Added at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Demonstration Programs
- 2) Code Citation: 89 Ill. Adm. Code 170
- 3) Section Number: Proposed Action:  
170.500 New Section
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13] and Public Act 89-0562/House Bill 3177 [305 ILCS 5/4-19].

5) Complete Description of the Subjects and Issues Involved: State legislation has passed which will result in the development of a demonstration to target and aid in the removal of barriers, such as alcohol and substance abuse, to help AFDC recipients move from welfare to work. Pursuant to provisions of Public Act 89-0562, the Department, in cooperation with the Department of Alcoholism and Substance Abuse, is authorized to conduct a demonstration project. The demonstration project will require clients who are identified as having an alcohol or substance abuse problem to participate in an alcohol or substance abuse treatment program, as a condition of eligibility for AFDC, if living in a demonstration site. Public Act 89-0562 also specifies that at the end of the demonstration, the project may be expanded to other areas of the State or the entire State. A federal waiver is necessary to implement this demonstration project.

If the Department identifies a client as having a substance abuse problem and failure to cooperate with mandatory treatment occurs, deletion from the grant would result. This rulemaking allows the Department to implement sanctions that would affect AFDC-R and AFDC-U clients. The sanctions would be increasingly punitive, beginning with deletion from the grant until the client cooperates, up to a maximum of six months.

In the designated pilot areas, the Department of Alcoholism and Substance Abuse will train Public Aid caseworkers to screen all clients for possible substance abuse. AFDC recipients that have been identified with a substance abuse problem would be mandated to seek treatment and would be referred to an alcoholism and substance abuse treatment program. The Department would provide the cost of transportation to the designated treatment center. Failure to comply could result in possible reduced benefits, imposition of the DASA provider as protective payee, or both.

These proposed amendments establish that all designated adult AFDC-R and AFDC-U clients living in a demonstration project area, identified as having an alcohol or substance abuse problem, must participate in an alcohol or substance abuse treatment program as a condition of eligibility, unless the adult is employed 30 hours per week or more. The demonstration project may potentially include as many as five areas: Winnebago and Peoria counties and three Chicago district offices (Kenwood,

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

Oakland and Pershing). AFDC cases in the demonstration project area will be assigned to an experimental or a control group. The adults in the experimental cases meeting the criteria will be subject to these provisions.

Failure to participate in an alcohol or substance abuse treatment program will result in progressive sanction or sanctions for the adult:

- 1) First sanction - The client will be deleted from the cash grant until cooperation, as defined by the DASA treatment provider.
- 2) Second sanction - The client will be deleted from the cash grant for three months or until cooperation, as defined by the DASA treatment provider, whichever is longer.
- 3) Third and subsequent sanctions - The client will be deleted from the cash grant for six months or until cooperation, as defined by the DASA treatment provider, whichever is longer.
- 4) Supportive services will be provided.

Adults in the experimental cases who must participate in an alcohol or substance abuse treatment program, as a condition of eligibility, are JOBS mandatory. For these individuals, the exemption criteria listed in Section 112.71 will not apply.

Final analyses will rest on a comparison of two groups:

1. a control group consisting of approximately 1,296 cases, including those voluntarily participating with no resulting sanctions; and
2. an experimental group consisting of approximately 1,296 cases. The experimental group members will be targeted via their mandatory involvement in the JOBS program. Companion amendments are being proposed in 89 Ill. Adm. Code 112.

- 6) Will these proposed amendments replace emergency amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes

Sections 170.410  
Proposed Action Illinois Register Citation  
New Section April 26, 1996 (20 Ill. Reg. 5977)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

- 10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.

- 11) Time, Place, and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

Judy Umunna  
Bureau of Rules and Regulations  
Illinois Department of Public Aid  
100 South Grand Ave. E., 3rd Floor  
Springfield, Illinois 62762  
Phone: (217) 524-0081

The Department requests the submission of written comments within 30 days after the publication of this notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

The Department is unaware of any effect this rulemaking may have on small businesses, small municipalities or not-for-profit corporations. The Department will accept and consider any written comments concerning such effects that may be submitted in response to these proposed amendments. These entities may submit comments in writing to the Department at the above address in accordance with the regulatory flexibility provisions in Section 5-30 of the Illinois Administrative Procedure Act [5 ILCS 100/5-30]. These entities shall indicate their status as small businesses, small municipalities, or not-for-profit corporations as part of any written comments they submit to the Department.

- 12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit Corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None

- 13) Regulatory agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: This rulemaking was not anticipated by the Department when the two most recent regulatory agendas were published.

The full text of the Proposed Amendments begins on the next page:



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## NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES  
CHAPTER I: DEPARTMENT OF PUBLIC AID  
SUBCHAPTER g: DEMONSTRATION PROGRAMS

PART 170  
DEMONSTRATION PROGRAMS

SUBPART A: THE FRESH START  
WELFARE REFORM DEMONSTRATION PROGRAM

## Section

170.10 Youth Employment and Training Initiative  
170.100 Paternal Involvement Project  
170.30 Homeless Families Support Project  
170.40 Family Responsibility Project  
170.50 Income Budgeting Project

## SUBPART B: THE CAREER ADVANCEMENT PROGRAM

## Section

170.100 The Career Advancement Program  
170.110 Career Advancement Experimental and Control Groups  
170.120 Career Advancement Participation Requirements of Experimental Group Members  
170.130 Career Advancement Supportive Services for Experimental Group Members

## SUBPART C: COMMUNITY GROUP PARTICIPATION PROGRAM

## Section

170.200 Community Group Participation Program

## SUBPART D: EARNED INCOME INITIATIVE

## Sections

170.250 Work Pays Demonstration

## SUBPART E: THE SCHOOL ATTENDANCE INITIATIVE

## 170.300

School Attendance Initiative

## SUBPART F: WORK AND RESPONSIBILITY DEMONSTRATION

## Section

170.350 Family Accountability  
170.360 Get a Job Initiative  
170.370 Targeted Work Initiative (TWI)  
170.380 Quarterly Reporting - Failure to Report Employment Demonstration Project

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

170.390 Employment Plan Demonstration Project

SUBPART G: BIOMETRIC IDENTIFICATION DEMONSTRATION

## Section

170.400 Retinal Scanning

SUBPART H: JOB OPPORTUNITIES AND BASIC SKILLS TRAINING (JOBS)  
DEMONSTRATION PROGRAM

## Section

170.450 Young Parent Services South Home Visitor, Demonstration (Project Link)

## SUBPART I: DASA/DPA SUBSTANCE ABUSE INITIATIVE

## Section

170.500 DASA/DPA Substance Abuse Initiative

AUTHORITY: Implementing and authorized by Sections 4-1, 4-1.10, 4-8, 4-17, 4-19, 11-20, 12-4.28 and 12-13 of the Illinois Public Aid Code [305 ILCS 5/4-1, 4-1.10, 4-8, 4-17, 4-19, 11-20, 12-4.28 and 12-13].

SOURCE: Adopted at 13 Ill. Reg. 14067, effective August 23, 1989; amended at 14 Ill. Reg. 19320, effective November 30, 1990; amended at 17 Ill. Reg. 19197, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 19721, effective November 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 3372, effective February 28, 1994; emergency amendment at 19 Ill. Reg. 645, effective January 9, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 7901, effective June 8, 1995; emergency amendment at 19 Ill. Reg. 15256, effective November 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 15849, effective November 15, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 16314, effective December 1, 1995, for a maximum of 150 days; amended at 20 Ill. Reg. 866, effective January 1, 1996; amended at 20 Ill. Reg. 4333, effective February 29, 1996; amended at 20 Ill. Reg. 5685, effective March 30, 1996; amended at 20 Ill. Reg. 6029, effective April 12, 1996; amended at 20 Ill. Reg. 6517, effective April 29, 1996; amended at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART I: DASA/DPA SUBSTANCE ABUSE INITIATIVE

## Section 170.500 DASA/DPA Substance Abuse Initiative

a) All designated adult AFDC-R and AFDC-U clients living in a demonstration project area identified as having an alcohol or substance abuse problem must participate in an alcohol or substance abuse treatment program as a condition of eligibility, unless the

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

adult is employed 30 hours per week or more. AFDC cases in the demonstration project area are assigned to experimental or control groups. The adults in the experimental cases meeting the criteria are subject to this policy.

b) Failure to participate in an alcohol or substance abuse treatment program will result in progressive sanction or sanctions for the adult:

1) First sanction - The client is deleted from the cash grant until cooperation, as defined by the DASA treatment provider.

2) Second sanction - The client is deleted from the cash grant for three months or until cooperation, as defined by the DASA treatment provider, whichever is longer.

3) Third and subsequent sanctions - The client is deleted from the cash grant for six months or until cooperation, as defined by the DASA treatment provider, whichever is longer.

4) Supportive services will be provided.

c) Adults in the experimental cases who must participate in an alcohol or substance abuse treatment program as a condition of eligibility are JOBS mandatory. For these individuals, the exemption criteria listed in Section 112.71 do not apply.

d) The provisions of this Section are subject to receipt of federal waivers.

(Source: Added at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Driving and Parking

2) Code Citation: 92 Ill. Adm. Code 397

3) Section Numbers: Proposed Action:  
397.1020 Amend

4) Statutory Authority: Implementing and authorized by Sections 18b-102 and 18b-105 of the Illinois Motor Carrier Safety Law [625 ILCS 5/Ch. 18b].

5) A complete description of the subjects and issues involved: By this Notice of Proposed Amendments, the Department is updating the date of incorporation by reference of 49 CFR 397 as of October 1, 1995 and including the federal rulemaking adopted at 61 FR 1842, January 24, 1996.

This rulemaking incorporates by reference changes made in the following:

61 FR 1842, January 24, 1996 makes technical amendments to the regulations.

6) Will this proposed rulemaking replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? Yes. These conform to Section 5-75 of the Illinois Administrative Procedure Act.

9) Are there any other amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

By U.S. Mail:

Ms. Cathy Allen  
Regulations Unit  
Illinois Department of Transportation  
Division of Traffic Safety  
P.O. Box 19212  
Springfield, IL 62794-9212  
(217) 785-1181



## DEPARTMENT OF TRANSPORTATION

## NOTICE OF PROPOSED AMENDMENTS

By Messenger or Inter-Agency Mail:

DOT Annex Building  
3215 Executive Park Drive  
Commercial Vehicle Safety; 3rd Floor  
Springfield, IL

JCAR requests, comments and concerns regarding this rulemaking should be addressed to:

Christine Caronna-Beard, Rules Manager  
Illinois Department of Transportation  
2300 South Dirksen Parkway, Room 300  
Springfield, IL 62764  
(217) 782-3215

Comments received within forty-five days after the date of publication after this *Illinois Register* will be considered. Comments received after that time will be considered, time permitting.

## 12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses affected: This rulemaking will affect small businesses which own or operate commercial motor vehicles in Illinois.

B) Reporting, bookkeeping or other procedures required for compliance: No new or additional procedures are necessary for compliance with this rulemaking.

C) Types of professional skills necessary for compliance: No new or additional skills are necessary for compliance.

13) Regulatory Agenda on which this rulemaking was summarized: January 1996

The full text of the Proposed Amendment(s) begins on the next page:

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION

CHAPTER 1: DEPARTMENT OF TRANSPORTATION

SUBCHAPTER d: MOTOR CARRIER SAFETY REGULATIONS

PART 397

DRIVING AND PARKING

Section  
397.1000 General  
397.1010 Application  
397.1020 Incorporation By Reference of 49 CFR 397

**AUTHORITY:** Implementing and authorized by Sections 18b-102 and 18b-105 of the Illinois Motor Carrier Safety Law [625 ILCS 5/Ch. 18b].

**SOURCE:** Adopted at 3 Ill. Reg. 5, p. A1, effective February 1, 1979; codified at 8 Ill. Reg. 17986; recodified from 92 Ill. Adm. Code 397.Subchapter c at 14 Ill. Reg. 3281; Part repealed, new Part adopted at 14 Ill. Reg. 15496, effective September 10, 1990; amended at 15 Ill. Reg. 13158, effective August 21, 1991; amended at 18 Ill. Reg. 736, effective January 11, 1994; amended at 19 Ill. Reg. 13035, effective August 30, 1995; amended at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 397.1020 Incorporation By Reference of 49 CFR 397**

a) The Department incorporates "Driving and Parking" (49 CFR 397) by reference as that part of the Federal Motor Carrier Safety Regulations (FMCSR) (49 CFR 390, 391, 392, 393, 395, 396, and 397) that was in effect on October 1, 1995 ~~1994~~, as amended at 61 FR 1842, January 24, 1996 ~~59-FR-699217-December-12-1994~~, subject only to the exceptions in subsections (b) and (c). No later amendments to or editions of 49 CFR 397 are incorporated.

b) Section 397.1 is deleted and not incorporated.

c) Section 397.2 is deleted and not incorporated.

d) References to subchapters, parts, subparts, sections or paragraphs shall be read to refer to the appropriate citation in 49 CFR.

e) The following addition to 49 CFR 397 shall apply for purposes of this Part.

Authorized Illinois State Police shall place drivers out-of-service for violations of the "North American Uniform Out-of-Service Criteria" as defined at 92 Ill. Adm. Code 390.1020.

(Source: Amended at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Driving of Motor Vehicles

2) Code Citation: 92 Ill. Adm. Code 392

3) Section Numbers: 392.2000  
Proposed Action: Amend

4) Statutory Authority: Implementing and authorized by Sections 18b-102 and 18b-105 of the Illinois Motor Carrier Safety Law [625 ILCS 5/Ch. 18b].

5) A complete description of the subjects and issues involved: By this Notice of Proposed Amendments, the Department is updating the date of incorporation by reference of 49 CFR 392 as of October 1, 1995 and including the federal rulemaking adopted at 61 FR 9546, March 8, 1996.

This rulemaking incorporates by reference changes made in the following Dockets:

Dockets MC-92-19 and MC-92-23 (61 FR 9546, March 8, 1996) make technical amendments to the alcohol and drug testing rules.

6) Will this proposed rulemaking replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? Yes. These conform to Section 5-75 of the Illinois Administrative Procedure Act.

9) Are there any other amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.

11) Time, Place and Manner in which interested persons may comment on this Proposed rulemaking: Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

By U.S. Mail:

Ms. Cathy Allen  
Regulations Unit  
Illinois Department of Transportation  
Division of Traffic Safety  
P.O. Box 19212  
Springfield, Illinois 62794-9212

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF PROPOSED AMENDMENTS

(217) 785-1181

By Messenger or Inter-Agency Mail:

DOT Annex Building  
3215 Executive Park Drive  
Commercial Vehicle Safety, 3rd Floor  
Springfield, Illinois

JCAR requests, comments and concerns regarding this rulemaking should be addressed to:

Christine Caronna-Beard, Rules Manager  
Illinois Department of Transportation  
2300 South Dirksen Parkway, Room 300  
Springfield, IL 62764  
(217) 782-3215

Comments received within forty-five days after the date of publication of this *Illinois Register* will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses affected: This rulemaking will affect small businesses which own or operate commercial motor vehicles in Illinois.

B) Reporting, bookkeeping or other procedures required for compliance: No new or additional procedures are necessary for compliance with this rulemaking.

C) Types of professional skills necessary for compliance: No new or additional skills are necessary for compliance.

13) Regulatory Agenda on which this rulemaking was summarized: January 1996

The full text of the Proposed Amendment(s) begins on the next page:



DEPARTMENT OF TRANSPORTATION  
NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION  
CHAPTER I: DEPARTMENT OF TRANSPORTATION  
SUBCHAPTER d: MOTOR CARRIER SAFETY REGULATIONS

PART 392  
DRIVING OF MOTOR VEHICLES

Section

392.1000 General

392.2000 Incorporation by Reference of 49 CFR 392

**AUTHORITY:** Implementing, and authorized by Sections 18b-102 and 18b-105 of, the Illinois Motor Carrier Safety Law [625 ILCS 5/Ch. 18b].

**SOURCE:** Adopted at 14 Ill. Reg. 15503, effective September 10, 1990; amended at 15 Ill. Reg. 13155, effective August 21, 1991; amended at 18 Ill. Reg. 740, effective January 11, 1994; amended at 18 Ill. Reg. 10359, effective June 15, 1994; amended at 19 Ill. Reg. 13038, effective August 30, 1995; amended at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 392.2000 Incorporation by Reference of 49 CFR 392**

a) "Driving of Motor Vehicles" (49 CFR 392) is incorporated by reference, as that part of the Federal Motor Carrier Safety Regulations (FMCSR) (49 CFR 390, 391, 392, 393, 395, 396, and 397) that was in effect on October 1, 1995 1994, as amended at 59 FR 60319, November 23, 1994; and as amended at 61 FR 9546, March 8, 1996 59-FR-639217-December-127 1994. No later amendments to or editions of 49 CFR 392 are incorporated.

b) References to subchapters, parts, subparts, sections or paragraphs shall be read to refer to the appropriate citation in the FMCSR.

c) The following addition to 49 CFR 392 shall apply for purposes of this Part.

Authorized Illinois State Police shall place drivers out-of-service for violations of the "North American Uniform Out-of-Service Criteria" as defined at 92 Ill. Adm. Code 390.1020.

(Source: Amended at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

DEPARTMENT OF TRANSPORTATION  
NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Hours of Service of Drivers

2) Code Citation: 92 Ill. Adm. Code 395

3) Section Numbers: Proposed Action:  
395.2000 Amend

4) Statutory Authority: Implementing and authorized by Sections 18b-102 and 18b-105 of the Illinois Motor Carrier Safety Law [625 ILCS 5/Ch. 18b].

5) A complete description of the subjects and issues involved: By this Notice of Proposed Amendments, the Department is updating the date of incorporation by reference of 49 CFR 395 as of October 1, 1995 and including the federal rulemaking adopted at 61 FR 14677, April 3, 1996.

This rulemaking incorporates by reference changes made in the following:

61 FR 14677, April 3, 1996 amends the regulations to conform to statutory exemptions provided for in the National Highway System Designation Act of 1995 (the Act). The Act provided exemptions from certain requirements for employers engaged in:

The transportation of agricultural commodities and farm supplies;

The transportation of ground water drilling rigs;

The transportation of construction materials and equipment;

The operation of utility service vehicles; and

The operation of snow and ice removal equipment within the boundaries of an eligible unit of local government.

These exemptions relate to the hours-of-service and the commercial driver's license requirements of the regulations.

Section 395.1 at 61 FR 14677, April 3, 1996 provides each state the authority to determine the planting and harvesting seasons within the state. This rulemaking designates the period of February 1 through November 30 of each year as the planting and harvesting season in Illinois. The Department determined these months at the request of special interest groups representing the agricultural industry.

Upon adoption of these amendments, Section 395.2000(c)(4) will be deleted and replaced by a new subsection (c)(4) which addresses only agricultural movements. Subsections (c)(5) and (c)(6) are added to provide exemptions for farm-to-market agricultural transportation and grain hauling operations which were previously provided for in Section 395.2000(c)(4).

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF PROPOSED AMENDMENTS

- 6) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? Yes. These conform to Section 5-75 of the Illinois Administrative Procedure Act.
- 9) Are there any other amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: 61 FR 14677, April 3, 1996 affects eligible units of local government that employ back-up snow removal drivers. This rulemaking provides these drivers an exemption by waiver from obtaining a Commercial Driver's License (CDL). This waiver may only be granted where the employee who ordinarily operates the vehicle is unavailable or in need of additional assistance. Another federal rulemaking at 61 FR 14877, April 3, 1996 provides this exemption under 49 CFR 393 which is not incorporated by reference under the Illinois Motor Carrier Safety Regulations. This information has been provided as information for local governments; however, 92 Ill. Adm. Code 395 is not affected by changes to the CDL program.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

By U.S. Mail:

Ms. Cathy Allen  
Regulations Unit  
Illinois Department of Transportation  
Division of Traffic Safety  
P.O. Box 19212  
Springfield, Illinois 62794-9212  
(217) 785-1181

By Messenger or Inter-Agency Mail:

DOT Annex Building  
3215 Executive Park Drive  
Commercial Vehicle Safety, 3rd Floor  
Springfield, Illinois

JCAR requests, comments and concerns regarding this rulemaking should be addressed to:

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF PROPOSED AMENDMENTS

Christine Caronna-Beard, Rules Manager  
Illinois Department of Transportation  
2300 South Dirksen Parkway, Room 300  
Springfield, IL 62764  
(217) 785-3215

Comments received within forty-five days after the date of publication of this *Illinois Register* will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses affected: This rulemaking will affect small businesses which own or operate commercial motor vehicles in Illinois.
- B) Reporting, bookkeeping or other procedures required for compliance: No new or additional procedures are necessary for compliance with this rulemaking.
- C) Types of professional skills necessary for compliance: No new or additional skills are necessary for compliance.

13) Regulatory Agenda on which this rulemaking was summarized: January 1996

The full text of the Proposed Amendment(s) begins on the next page:



## DEPARTMENT OF TRANSPORTATION

## NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION  
CHAPTER I: DEPARTMENT OF TRANSPORTATION  
SUBCHAPTER d: MOTOR CARRIER SAFETY REGULATIONS

## PART 395

## HOURS OF SERVICE OF DRIVERS

Section  
395.1000 General  
395.2000 Incorporation by Reference of 49 CFR 395

**AUTHORITY:** Implementing, and authorized by Sections 18b-102 and 18b-105 of, the Illinois Motor Carrier Safety Law [625 ILCS 5/Ch. 18b].

**SOURCE:** Adopted at 14 Ill. Reg. 15507, effective September 10, 1990; amended at 15 Ill. Reg. 13161, effective August 21, 1991; amended at 16 Ill. Reg. 14425, effective September 8, 1992; amended at 18 Ill. Reg. 743, effective January 11, 1994; amended at 19 Ill. Reg. 13041, effective August 30, 1995; amended at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 395.2000 Incorporation by Reference of 49 CFR 395**

a) "Hours of Service of Drivers" (49 CFR 395) is incorporated by reference, as that part of the Federal Motor Carrier Safety Regulations (FMCSR) (49 CFR 390, 391, 392, 393, 395, 396 and 397) that was in effect on October 1, 1995 to 1994, as amended at 61 FR 14677, April 3, 1996 59--FR--60319--November-23-1994, subject only to the exceptions in subsection (c). No later amendments to or editions of 49 CFR 395 are incorporated.

b) References to subchapters, parts, subparts, sections or paragraphs shall be read to refer to the appropriate citation in 49 CFR.

c) The following interpretations of, additions to and deletions from 49 CFR 395 shall apply for purposes of this Part.

- 1) Sections 395.1(i) and 395.1(j) are deleted and not incorporated.
- 2) Section 395.1(e) as it applies to intrastate carriers is amended to establish that drivers shall operate within a 150 air-mile radius of the normal work reporting location to qualify for exempt status. (Section 18b-105(d) of the Illinois Motor Carrier Safety Law (the Law) [625 ILCS 5/18b-105(d)])
- 3) Section 395.13 is not incorporated and the following substituted therefor:

A) Authority to declare drivers out-of-service due to violations of the "North American Uniform Out-of-Service Criteria" as defined in 92 Ill. Adm. Code 390.1020. Every Illinois State Police officer certified to conduct Commercial Vehicle Inspections, Levels 1, 2, or 3 (as defined in 92 Ill. Adm. Code 390) is authorized to declare a driver out-of-service as set forth in subsection (c)(3)(B) and to notify the motor carrier of that declaration upon

## DEPARTMENT OF TRANSPORTATION

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finding at the time and place of examination that the driver has violated the out-of-service criteria.

B) Out-of-Service Criteria

- i) No driver shall drive after being on duty in excess of the maximum periods permitted by 49 CFR 395.
  - ii) No driver required to maintain a record of duty status under 49 CFR 395.8 or 395.15 shall fail to have a record of duty status current on the day of examination and for the prior seven consecutive days.
  - iii) Exception. A driver failing only to have possession of a record of duty status current on the day of examination and the prior day, but who has completed records of duty status up to that time (previous 6 days), will be given the opportunity to make the duty status record current.
- C) Responsibilities of motor carriers

- i) No motor carrier shall:  
Require or permit a driver who has been declared out-of-service to operate a motor vehicle until that driver may lawfully do so under the requirements in 49 CFR 395;

Require a driver who has been declared out-of-service for failure to prepare a record of duty status to operate a motor vehicle until that driver has been off duty for eight consecutive hours and is in compliance with this Section. The consecutive eight hour off duty period may include sleeper berth time.

- ii) A motor carrier shall, if required (refer to 92 Ill. Adm. Code 396.2010 for requirement), complete the "Notice to Motor Carrier" portion of the Form ISP 5-238 (Illinois Commercial Driver-Vehicle Inspection Report) and deliver the copy of the form either personally or by mail to the Illinois State Police Motor Carrier Safety Section at the address specified upon the form within 15 days following the date of examination. If the motor carrier mails the form, delivery is made on the date it is postmarked.

## D) Responsibilities of the Driver:

- i) No driver who has been declared out-of-service shall operate a motor vehicle until that driver may lawfully do so under the requirements of 49 CFR 395.
- ii) No driver who has been declared out-of-service, for failing to prepare a record of duty status, shall operate a motor vehicle until the driver has been off duty for eight consecutive hours and is in compliance with this Section.
- iii) A driver to whom a form has been tendered declaring the driver out-of-service shall within 24 hours

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thereafter deliver or mail the copy to a person or place designated by motor carrier to receive it.

- iv) This Section does not alter the hazardous materials requirements prescribed in 92 Ill. Adm. Code 397 pertaining to attendance and surveillance of motor vehicles.

4) Part 395 shall not apply to agricultural movements that are engaged in intrastate commerce between the period of February 1 through November 30 each year. (Section 18b-105(c)(6) of the Law) [61 FR 14677, April 3, 1996]

4\* Part--395 shall--not--apply--to--agricultural--movements--between--the period--of--February--15--through--June--30--each--year--and--all--farm--to market--agricultural--transportation as--defined--in--92--Ill--Adm--Code--390--1020 and--for--grain--hauling--operations--within--a--radius--of 200--air--miles--of--the--normal--work--reporting--location that--are engaged--in--intrastate--commerce--(Section--18b--105(c)(6)--of--the Law)

5) Part 395 shall not apply to all farm to market agricultural transportation as defined in 92 Ill. Adm. Code 390.1020 that is engaged in intrastate commerce. (Section 18b-105(c)(6) of the Law)

6) Part 395 shall not apply to any grain hauling operations that are engaged in intrastate commerce within a radius of 200 air miles of the normal work reporting location. (Section 18b-105(c)(6) of the Law)

(Source: Amended at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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1) Heading of the Part: Inspection, Repair and Maintenance

2) Code Citation: 92 Ill. Adm. Code 396

3) Section Numbers: Proposed Action:  
396.2000 Amend

4) Statutory Authority: Implementing and authorized by Sections 18b-102 and 18b-105 of the Illinois Motor Carrier Safety Law [625 ILCS 5/Ch. 18b].

5) A complete description of the subjects and issues involved: By this Notice of Proposed Amendments, the Department is updating the date of incorporation by reference of 49 CFR 396 as of October 1, 1995.

6) Will this proposed rulemaking replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? Yes. These conform to Section 5-75 of the Illinois Administrative Procedure Act.

9) Are there any other amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

By U.S. Mail:

Ms. Cathy Allen  
Regulations Unit  
Illinois Department of Transportation  
Division of Traffic Safety  
P.O. Box 19212  
Springfield, Illinois 62794-9212  
(217) 785-1181

By Messenger or Inter-Agency Mail:

DOT Annex Building  
3215 Executive Park Drive  
Commercial Vehicle Safety; 3rd Floor



## DEPARTMENT OF TRANSPORTATION

## NOTICE OF PROPOSED AMENDMENTS

Springfield, Illinois

JCAR requests, comments and concerns regarding this rulemaking should be addressed to:

Christine Caronna-Beard, Rules Manager  
Illinois Department of Transportation  
2300 South Dirksen Parkway, Room 300  
Springfield, IL 62764  
217/782-3215

Comments received within forty-five days after the date of publication of this Illinois Register will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses affected: This rulemaking will affect small businesses which own or operate commercial motor vehicles in Illinois.

B) Reporting, bookkeeping or other procedures required for compliance: No new or additional procedures are necessary for compliance with this rulemaking.

C) Types of professional skills necessary for compliance: No new or additional skills are necessary for compliance.

13) Regulatory Agenda on which this rulemaking was summarized: January 1996

The full text of the Proposed Amendment(s) begins on the next page:

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION  
CHAPTER 1: DEPARTMENT OF TRANSPORTATION  
SUBCHAPTER d: MOTOR CARRIER SAFETY REGULATIONS

## PART 396

## INSPECTION, REPAIR AND MAINTENANCE

Section  
396.1000 General  
396.2000 Incorporation by Reference of 49 CFR 396  
396.2010 Inspection of Vehicles in Operation

**AUTHORITY:** Implementing, and authorized by Sections 18b-102 and 18b-105 of, the Illinois Motor Carrier Safety Law [625 ILCS 5/Ch. 18b].

**SOURCE:** Adopted at 14 Ill. Reg. 15512, effective September 10, 1990; amended at 15 Ill. Reg. 13167, effective August 21, 1991; amended at 16 Ill. Reg. 14431, effective September 8, 1992; amended at 18 Ill. Reg. 749, effective January 11, 1994; amended at 19 Ill. Reg. 13046, effective August 30, 1995; amended at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 396.2000 Incorporation by Reference of 49 CFR 396**

- a) The Department incorporates "Inspection, Repair and Maintenance" (49 CFR 396) by reference, as that part of the Federal Motor Carrier Safety Regulations (FMCSR) (49 CFR 390, 391, 392, 393, 395, 396, and 397) that was in effect on October 1, 1995 ~~1994-as-amended-at-59-PR 69319-November-237-1994~~, subject only to the exceptions in subsection (c). No later amendments to or editions of 49 CFR 396 are incorporated.
- b) References to subchapters, parts, subparts, sections or paragraphs shall be read to refer to the appropriate citation in 49 CFR.
- c) The following interpretations of, additions to and deletions from 49 CFR 396 shall apply for purposes of this Part.
- 1) Section 396.9 is deleted and not incorporated.
  - 2) Section 396.11 shall not apply to the operator of a commercial vehicle used in intrastate commerce. (Section 18b-105(c)(3) of the Illinois Motor Carrier Safety Law (the Law) [625 ILCS 5/18b-105(c)(3)])
  - 3) Paragraphs (b) and (c) of Section 396.13 shall not apply to the operator of a commercial vehicle used in intrastate commerce. (Section 18b-105(c)(4) of the Law)
  - 4) Any commercial motor vehicle used in intrastate commerce that is inspected semi-annually pursuant to Section 13-109 of the Illinois Vehicle Code (the Code) [625 ILCS 5/13-109] has complied with the periodic inspection procedures required by 49 CFR 396.17.

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(Source: Amended at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF TRANSPORTATION

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- 1) Heading of the Part: Motor Carrier Safety Regulations: General
- 2) Code Citation: 92 Ill. Adm. Code 390
- 3) Section Numbers:  
390.1020 Amend  
390.1030 Amend  
390.2000 Amend
- 4) Statutory Authority: Implementing, and authorized by Sections 18b-102 and 18b-105 of, the Illinois Motor Carrier Safety Law [625 ILCS 5/Ch. 18b].
- 5) A complete description of the subjects and issues involved: By this Notice of Proposed Amendments, the Department is updating the date of incorporation by reference of 49 CFR 390, Subparts B and C as of October 1, 1995 and updating all other references to 49 CFR as of October 1, 1995. This amendment will also include the federal rulemaking adopted at 61 FR 9546, March 8, 1996.
- This rulemaking incorporates by reference changes made in the following Dockets:
- Dockets MC-92-19 and MC-92-23 (61 FR 9546, March 8, 1996) make technical, nonsubstantive amendments. For example, changes to this Part include updating the FHWA regional Offices of Motor Carriers as stated in 49 CFR 390.27.
- Section 390.1020 is amended to include metric conversion in the definition of "Commercial Motor Vehicle." The metric conversion included in 61 FR 9546, March 8, 1996 is located in 49 CFR 390, Subpart A which is not incorporated by reference in this Part.
- 6) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? Yes. These conform to Section 5-75 of the Illinois Administrative Procedure Act.
- 9) Are there any other amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:



## DEPARTMENT OF TRANSPORTATION

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Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

By U.S. Mail:

Ms. Cathy Allen  
Regulations Unit  
Illinois Department of Transportation  
Division of Traffic Safety  
P.O. Box 19212  
Springfield, Illinois 62794-9212  
(217) 785-1181

By Messenger or Inter-Agency Mail:

DOT Annex Building  
3215 Executive Park Drive  
Commercial Vehicle Safety, 3rd Floor  
Springfield, Illinois

JCAR requests, comments and concerns regarding this rulemaking should be addressed to:

Christine Caronna-Beard, Rules Manager  
Illinois Department of Transportation  
2300 South Dirksen Parkway, Room 300  
Springfield, IL 62764  
(217) 782-3215

Comments received within forty-five days after the date of publication of this Illinois Register will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses affected: This rulemaking will affect small businesses which own or operate commercial motor vehicles in Illinois.
- B) Reporting, bookkeeping or other procedures required for compliance: No new or additional procedures are necessary for compliance with this rulemaking.
- C) Types of professional skills necessary for compliance: No new or additional skills are necessary for compliance.

13) Regulatory agenda on which this rulemaking was summarized: January 1996

The full text of the Proposed Amendment(s) begins on the next page:

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION  
CHAPTER I: DEPARTMENT OF TRANSPORTATION  
SUBCHAPTER d: MOTOR CARRIER SAFETY REGULATIONS

PART 390

MOTOR CARRIER SAFETY REGULATIONS: GENERAL

SUBPART A: GENERAL APPLICABILITY AND DEFINITIONS

Section	Purpose
390.1000	General Applicability
390.1010	Definitions
390.1020	Rules of Construction
390.1030	

SUBPART B: GENERAL REQUIREMENTS AND INFORMATION

Section	Incorporation by Reference
390.2000	

AUTHORITY: Implementing, and authorized by Sections 18b-102 and 18b-105 of, the Illinois Motor Carrier Safety Law [625 ILCS 5/Ch. 18b].

SOURCE: Adopted at 14 Ill. Reg. 15519, effective September 10, 1990; amended at 15 Ill. Reg. 13171, effective August 21, 1991; amended at 16 Ill. Reg. 14435, effective September 8, 1992; amended at 18 Ill. Reg. 754, effective January 11, 1994; amended at 18 Ill. Reg. 10362, effective June 15, 1994; amended at 19 Ill. Reg. 13050, effective August 30, 1995; amended at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

SUBPART A: GENERAL APPLICABILITY AND DEFINITIONS

Section 390.1020 Definitions

The following definitions apply to all Parts in the MCSR unless a specific Part expressly defines a term different than what is used below:

"Accident" means:

Except as provided below an occurrence involving a commercial motor vehicle operating on a public road which results in:

A fatality;

Bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or

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One or more motor vehicles incurring disabling damage as a result of the accident, requiring the vehicle to be transported away from the scene by a tow truck or other vehicle.

The term accident does not include:

An occurrence involving only boarding and alighting from a stationary motor vehicle;

An occurrence involving only the loading or unloading of cargo; or

An occurrence in the course of the operation of a passenger car or a multipurpose passenger vehicle (as defined in 49 CFR 571.3) by a motor carrier and is not transporting passengers for hire or hazardous materials of a type and quantity that require the motor vehicle to be marked or placarded in accordance with 49 CFR 177.823. (49 CFR 390.5, October 1, 1995 1994)

"Agricultural movements" means the operation of a motor vehicle or combination of vehicles controlled and operated by a private motor carrier of property that is using the vehicle to transport nonhazardous or hazardous agricultural crop production fertilizers or agricultural chemicals from a local source of supply to farm or field, or from one farm or field to another, or from farm or field back to the local source of supply. (Section 18b-101 of the Law)

"Alcohol concentration" (AC) means the concentration of alcohol in a person's blood or breath. When expressed as a percentage it means grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath. "Federal Motor Carrier Safety Regulations: General" (49 CFR 390.5, October 1, 1995 October-17-1994)

"Bus" means any motor vehicle designed, constructed, and/or used for the transportation of passengers, including taxicabs. (49 CFR 390.5, October 1, 1995 -October-17-1994)

"Business district" means the territory contiguous to and including a highway when within any 600 feet along such highway there are buildings in use for business or industrial purposes, including but not limited to, hotels, banks, or office buildings which occupy at least 300 feet of frontage on one side or 300 feet collectively on both sides of the highway. (Section 1-108 of the Illinois Vehicle Code (the Code) [625 ILCS 5/1-108])

"Charter transportation of passengers" means transportation, using a

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bus, of a group of persons who, pursuant to a common purpose, under a single contract, at a fixed charge for the vehicle, have acquired the exclusive use of the vehicle to travel together under an itinerary either specified in advance or modified after having left the place of origin. (49 CFR 390.5, October 1, 1995 October-17-1994)

"Code" means the Illinois Vehicle Code [625 ILCS 5].

"Commerce" means trade, commerce or transportation within the State. (Section 18b-101(1) of the Law)

"Commercial motor vehicle (CMV)" means any self propelled or towed vehicle used on public highways in interstate and intrastate commerce to transport passengers or property when the vehicle has a gross vehicle weight rating or gross combination weight rating of 10,001 or more pounds (4,537 or more kilograms); or the vehicle is designed to transport more than 15 passengers, including the driver; or the vehicle is used in the transportation of hazardous materials in a quantity requiring placarding under the Illinois Hazardous Materials Transportation Act. This definition shall not include farm machinery, fertilizer spreaders, and other special agricultural movement equipment described in Section 3-809 of the Code nor implements of husbandry as defined in Section 1-130 of the Code. (Section 18b-101 of the Law)

"Commercial Vehicle Inspections" means:

Level 1 - North American Standard Inspection: An inspection that includes each of the items specified under the North American Uniform Out-of-Service Criteria. As a minimum, North American Standard inspections must include examination of: driver's license, medical examiner's certificate and waiver if applicable, alcohol and drugs, driver's record of duty status as required, hours of service, seat belt, vehicle inspection report, brake system, steering mechanism, wheels and rims, tires, coupling devices, suspension, frame, fuel system, exhaust system, windshield glazing, and wipers, lighting devices, safe loading, and hazardous material requirements as applicable.

Level 2 - Walk Around Driver/Vehicle Inspection: An examination that, as a minimum, includes: driver's license, medical examiner's certificate, and waiver if applicable, driver's record of duty status as required, hours of service, seat belt, vehicle inspection report, fire extinguisher, warning devices for stopped vehicles, head lamps, turn signals, stop lamps, windshield and wipers, wheels, tires, fuel system, exhaust system, visible brake components, coupling devices, cargo securement, low air warning device, visible suspension components, and hazardous material



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requirements as applicable. It is contemplated that the walk-around driver/vehicle inspection will be conducted without inspecting underneath the vehicle.

Level 3 - Driver Only Inspection: A roadside examination of the driver's license, medical certification and waiver if applicable, driver's record of duty status as required, hours of service, seat belt, and vehicle inspection report. (Commercial Vehicle Safety Alliance (CVSA), CVSA Operations Manual, January 1996 #1993)

"Conviction" means an unvacated adjudication of guilt, or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or by an authorized administrative tribunal, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, a plea of guilty or nolo contendere accepted by the court, the payment of a fine or court cost, or violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended or probated. (49 CFR 390.5, October 1, 1995 ~~October-17-1994~~)

"Department" means the Illinois Department of Transportation. (Section 18b-101 of the Law)

"Direct assistance" means transportation and other relief services provided by a motor carrier or its driver(s) incident to the immediate restoration of essential services (such as electricity, medical care, sewer, water, telecommunications, and telecommunication transmissions) or essential supplies (such as food and fuel). It does not include transportation related to long-term rehabilitation of damaged physical infrastructure or routine commercial deliveries after the initial threat to life and property has passed. (49 CFR 390.5, October 1, 1995 ~~October-17-1994~~)

"Disabling damage Damage" means damage which precludes departure of a motor vehicle from the scene of the accident in its usual manner in daylight after simple repairs.

Inclusions: Damage to motor vehicles that could have been driven, but would have been further damaged if so driven.

Exclusions:

Damage which can be remedied temporarily at the scene of the accident without special tools or parts.

Tire disablement without other damage even if no spare tire is available.

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Headlamp or taillight damage.

Damage to turn signals, horn or windshield wipers which makes them inoperative. (49 CFR 390.5, October 1, 1995 ~~October-17-1994~~)

"Driving a commercial motor vehicle while under the influence of alcohol" means committing any one or more of the following acts in a CMV: driving a CMV while the person's alcohol concentration is 0.04 percent or more; driving under the influence of alcohol, as prescribed by state law; or refusal to undergo such testing as is required by any state or jurisdiction in the enforcement of "Commercial Driver's License Standards; Requirements and Penalties" (49 CFR 383.51(b)(2)(1)(A) or (B)) or "Driving of Motor Vehicles" (49 CFR 392.5(a)(2)). (49 CFR 390.5, October 1, 1995 ~~October-17-1994~~)

"Driveaway-towaway operation" means any operation in which a motor vehicle constitutes the commodity being transported and one or more sets of wheels of the vehicle being transported are on the surface of the roadway during transportation. (49 CFR 390.5, October 1, 1995 ~~October-17-1994~~)

"Driver" means any person who operates any commercial motor vehicle. (49 CFR 390.5, October 1, 1995 ~~October-17-1994~~)

"Emergency" means any hurricane, tornado, storm (e.g., thunderstorm, snowstorm, icestorm, blizzard, sandstorm, etc.), high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, mud slide, drought, forest fire, explosion, blackout or other occurrence, natural or man-made, which interrupts the delivery of essential services (such as electricity, medical care, sewer, water, telecommunications, and telecommunication transmissions) or essential supplies (such as food and fuel) or otherwise immediately threatens human life or public welfare, provided such hurricane, tornado, or other event results in:

A declaration of an emergency by the President of the United States, the Governor of a state, or their authorized representatives having authority to declare emergencies; by the Regional Director of Motor Carriers for the region in which the occurrence happens; or by other Federal, State or local government officials having authority to declare emergencies, including but not limited to the Illinois Department of Transportation's Director, Division of Traffic Safety, or his designee; or

A request by a police officer for tow trucks to move wrecked or disabled vehicles. (49 CFR 390.5, October 1, 1995 ~~October-17~~)

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±1994)

"Emergency relief" means an operation in which a motor carrier or driver of commercial motor vehicle is providing direct assistance to supplement State and local efforts and capabilities to save lives or property or to protect public health and safety as a result of an emergency as defined in this Section. (49 CFR 390.5, October 1, 1995 October-17-1994)

"Employee" means:

A driver of a commercial motor vehicle (including an independent contractor while in the course of operating a commercial motor vehicle);

A mechanic;

A freight handler; and

Any individual, who in the course of his or her employment directly affects commercial motor vehicle safety, but such term does not include an employee of the United States, any state, any political subdivision of a state, or any agency established under a compact between states and approved by the Congress of the United States who is acting within the course of such employment. (49 CFR 390.5, October 1, 1995 October-17-1994)

"Employer" means any person engaged in a business affecting commerce who owns or leases a commercial motor vehicle in connection with that business, or assigns employees to operate it, but such term does not include the United States, any state, any political subdivision of a state, or any agency established under a compact between states approved by the Congress of the United States.

"Exempt intracity zone" means the geographic area of a municipality or the commercial zone of that municipality described by the Interstate Commerce Commission (ICC) in "Commercial Zones" (49 CFR 1048), revised as of October 1, 1975. The descriptions are printed in Appendix F to the Motor Carrier Safety Regulations. A driver may be considered to operate a vehicle wholly within an exempt intracity zone notwithstanding any common control, management, or arrangement for a continuous carriage or shipment to or from a point without such zone. (49 CFR 390.5, October 1, 1995 October-17-1994)

"Exempt motor carrier" means a person engaged in transportation exempt from economic regulation by the ICC under "Miscellaneous Motor Carrier Transportation Exemptions" (49 U.S.C. 10526). "Exempt motor carriers" are subject to the requirements set forth in the Motor Carrier Safety

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Regulations. (49 CFR 390.5, October 1, 1995 October-17-1994)

"Farm to market agricultural transportation" means the operation of a motor vehicle controlled and operated by a farmer who is a private motor carrier of property; who is using the vehicle to transport agricultural products to or from a farm operated by the farmer, or to transport farm machinery or farm supplies to or from a farm operated by the farmer; and who is not using the commercial vehicle to transport hazardous materials of a type or quantity that requires the vehicle to be placarded in accordance with the Illinois Hazardous Materials Transportation Act. (Section 18b-101 of the Law)

"Farm machinery" -- see definition of "Special Agricultural Movement Equipment" in this Section.

"Farm vehicle driver" means a person who drives only a commercial motor vehicle that is --

Controlled and operated by a farmer as a private motor carrier of property;

Being used to transport either --

Agricultural products, or

Farm machinery, farm supplies, or both, to or from a farm;

Not being used in the operation of a for-hire motor carrier;

Not carrying hazardous materials of a type or quantity that required the vehicle to be placarded in accordance with 49 CFR 177.823; and

Being used within 150 air-miles of the farmer's farm.

"Farmer" means any person who operates a farm or is directly involved in the cultivation of land, crops, or livestock which:

Are owned by that person; or

Are under the direct control of that person. (49 CFR 390.5, October 1, 1995 October-17-1994)

"Fatality" means any injury which results in the death of a person at the time of the motor vehicle accident or within 30 days after the accident. (49 CFR 390.5, October 1, 1995 October-17-1994)

"Federal Highway Administrator" means the chief executive of the



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Federal Highway Administration, an agency within the United States Department of Transportation. (49 CFR 390.5, October 1, 1995 ~~October 17-1994~~)

"For-hire" means the operation of a vehicle for compensation and subject to Federal regulation by the Interstate Commerce Commission or to State regulation by the Illinois Commerce Commission. (Section 1-124 of the Code)

"For-hire motor carrier" means a person engaged in the transportation of goods or passengers for compensation. (49 CFR 390.5, October 1, 1995 ~~October 17-1994~~)

"Gross Combination Weight Rating (GCWR)" means the value specified by the manufacturer as the loaded weight of a combination (articulated) vehicle. In the absence of a value specified by the manufacturer, GCWR will be determined by adding the GVWR of the power unit and the total weight of the towed unit and any load thereon. (49 CFR 390.5, October 1, 1995 ~~October 17-1994~~)

"Gross Vehicle Weight Rating (GVWR)" means the value specified by the manufacturer as the loaded weight of a single vehicle. (49 CFR 390.5, October 1, 1995 ~~October 17-1994~~)

"Hazardous material" means a substance or material which has been determined by the Secretary of the United States Department of Transportation to be capable of posing an unreasonable risk to health, safety, and property when transported in commerce, and which has been so designated. (49 CFR 390.5, October 1, 1995 ~~October 17-1994~~)

"Hazardous substance" means a material, and its mixtures or solutions, that is identified in the "Hazardous Materials Table and Hazardous Materials Communications" (49 CFR 172.101) when offered for transportation in one package, or in one transport vehicle if not packaged, and when the quantity of the material therein equals or exceeds the reportable quantity (RQ). This definition does not apply to petroleum products that are lubricants or fuels, or to mixtures or solutions of hazardous substances if in a concentration less than that shown in "General Information, Regulations and Definitions" (49 CFR 171.8) based on the reportable quantity (RQ) specified for the materials listed in 49 CFR 172.101. (49 CFR 390.5, October 1, 1995 ~~October 17-1994~~)

"Hazardous waste" means any material that is subject to the hazardous waste manifest requirements of the EPA specified in "Standards Applicable to Generators of Hazardous Waste" (40 CFR 262) or would be subject to these requirements absent an interim authorization to a state under "State Program Requirements" (40 CFR 123), Subpart F. (49

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF PROPOSED AMENDMENTS

CFR 390.5, October 1, 1995 ~~October 17-1994~~)

"Illinois State Police" means any individual officer of the Illinois State Police.

"Implement of husbandry" means every vehicle designed and adapted exclusively for agricultural, horticultural, or livestock raising operations, including farm wagons, wagon trailers or like vehicles used in connection therewith, or for lifting or carrying an implement of husbandry provided that no farm wagon, wagon trailer or like vehicle having a gross weight of more than 36,000 pounds, shall be included hereunder. (Section 1-130 of the Code)

"Intermittent, casual, or occasional driver" means a driver who in any period of 7 consecutive days is employed or used as a driver by more than a single motor carrier. The qualification of such a driver shall be determined and recorded in accordance with the provisions of 49 CFR 391.63 or 391.65, as applicable. (49 CFR 390.5, October 1, 1995 ~~October 17-1994~~)

"Interstate commerce" means transportation between two or more states or transportation originating in one state and passing into or through other states for delivery in another state. (Section 1-133 of the Code)

"Intrastate commerce" means any trade, traffic, or transportation in Illinois which is not described in the term "interstate commerce." (49 CFR 390.5, October 1, 1994)

"Law" means the Illinois Motor Carrier Safety Law [625 ILCS 5/Ch. 18b].

"Medical Examiner" means a person who is licensed, certified, and/or registered, in accordance with applicable State laws and regulations, to perform physical examinations. The term includes doctors of medicine, doctors of osteopathy, and doctors of chiropractic.

"Motor carrier" means a for-hire motor carrier or a private motor carrier. The term "motor carrier" includes a motor carrier's agents, officers and representatives as well as employees responsible for hiring, supervising, training, assigning, or dispatching of drivers and employees concerned with the installation, inspection, and maintenance of motor vehicle equipment and/or accessories. For purposes of the MCSR, the definition of "motor carrier" includes the terms "employer" and "exempt motor carrier." (49 CFR 390.5, October 1, 1995 ~~October 17-1994~~)

"Motor Carrier Safety Regulations (MCSR)" means the requirements

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established in Parts 386, 390, 391, 392, 393, 395, 396 and 397 (2 Ill. Adm. Code: Chapter I, Subchapter d).

"Motor vehicle" means any vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used upon the highways in the transportation of passengers or property, or any combination thereof determined by the Federal Highway Administration, but does not include any vehicle, locomotive, or car operated exclusively on a rail or rails, or a trolley bus operated by electric power derived from a fixed overhead wire, furnishing local passenger transportation similar to street-railway service. (49 CFR 390.5, October 1, 1995 ~~October-17-1994~~)

"North American Uniform Out-Of-Service Criteria" means a set of guidelines recognized by all states and the provinces of Canada as acceptable standards for identifying driver violations and critical vehicle inspection items that may render a driver, a commercial motor vehicle or a hazardous material load out-of-service. The criteria is enforced by law enforcement officers of a state or the federal government.

"Operator" -- see driver.

"Other terms" -- any other term used in the MCSR is used in its commonly accepted meaning, except where such other term has been defined elsewhere in the MCSR. In that event, the definition therein given shall apply. (49 CFR 390.5, October 1, 1995 ~~October-17-1994~~)

"Out-of-service order" means a declaration by an authorized enforcement officer of a Federal, State, Canadian, Mexican or local jurisdiction that a driver, a commercial motor vehicle, or a motor carrier operation, is out-of-service pursuant to 49 CFR 386.72, 49 CFR 392.5, 49 CFR 395.13, 49 CFR 396.9, or compatible laws, or the North American Uniform Out-Of-Service Criteria as defined in this Section. (49 CFR 390.5, October 1, 1995 ~~October-17-1994~~)

"Person" means any natural person or individual, governmental body, firm, association, partnership, copartnership, joint venture, company, corporation, joint stock company, trust, estate or any other legal entity or their legal representative, agent or assigns. (Section 18b-101(5) of the Law)

"Principal place of business" means a single location designated by the motor carrier, normally its headquarters, where records required by "Minimum Levels of Financial Responsibility for Motor Carriers" (49 CFR 387), "Federal Motor Carrier Safety Regulations; General" (49 CFR 390), "Qualification of Drivers" (49 CFR 391), "Hours of Service of Drivers" (49 CFR 395), and "Inspection, Repair and Maintenance" (49

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CFR 396) will be maintained. Provisions in the MCSR are made for maintaining certain records at locations other than the principal place of business. (49 CFR 390.5, October 1, 1995 ~~October-17-1994~~)

"Private motor carrier" means a person who provides transportation of property or passengers, by commercial motor vehicle, and is not a for-hire motor carrier. (49 CFR 390.5, October 1, 1995 ~~October-17-1994~~)

"Private motor carrier of passengers (business)" means a private motor carrier engaged in the interstate or intrastate transportation of passengers which is provided in the furtherance of a commercial enterprise and is not available to the public at large. (49 CFR 390.5, October 1, 1995 ~~October-17-1994~~)

"Private motor carrier of passengers (nonbusiness)" means a private motor carrier involved in the interstate or intrastate transportation of passengers that does not otherwise meet the definition of a private motor carrier of passengers (business). (49 CFR 390.5, October 1, 1995 ~~October-17-1994~~)

"Radar detector" means any device or mechanism to detect the emission of radio microwaves, laser beams or any other future speed measurement technology employed by enforcement personnel to measure the speed of commercial motor vehicles upon public roads and highways for enforcement purposes. Excluded from this definition are radar detection devices that meet both of the following requirements:

Transported outside the driver's compartment of the vehicle. For this purpose, the driver's compartment of a passenger-carrying CMV shall include all space designed to accommodate both the driver and the passengers; and

Completely inaccessible to, inoperable by, and imperceptible to the driver while operating the vehicle. (49 CFR 390.5, October 1, 1995 ~~October-17-1994~~)

"Regional Director" means the Director of the Office of Motor Carriers, Federal Highway Administration; for a given geographical region of the United States. (49 CFR 390.5, October 1, 1995 ~~59-PR 60319-November-23-1994~~)

"Regularly employed driver" means a driver who, in any period of seven consecutive days, is employed or used as a driver solely by a single motor carrier. (49 CFR 390.5, October 1, 1995 ~~October-17-1994~~)

"Residential district" means the territory adjacent to and including a highway which is not a business district and for a distance of 300



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feet or more along the highway is primarily improved with residences. (49 CFR 390.5, October 1, 1995 October-17-1994)

"School bus" means a passenger motor vehicle which is designed or used to carry more than 10 passengers in addition to the driver, and which the Secretary of the United States Department of Transportation determines is likely to be significantly used for the purpose of transporting preprimary, primary or secondary school students to such schools from home or from such schools to home. (49 CFR 390.5, October 1, 1995 October-17-1994)

"School bus operation" means the use of a school bus to transport only school children and school personnel from home to school and from school to home and for intrastate sanctioned school functions.

"Secretary" means the Secretary of the Illinois Department of Transportation.

"Special agent" - See 49 CFR Appendix B to Subchapter B of Chapter III.

"Special agricultural movement equipment" means a vehicle of the second division having a corn sheller, a welldriller, hay press, clover huller, feed mixer and unloader, or other farm machinery permanently mounted thereon and used solely for transporting the same, farm wagon type trailers having a fertilizer spreader attachment permanently mounted thereon, having a gross weight of not to exceed 36,000 pounds and farm wagon type tank trailers (i.e., nurse tanks) not to exceed 2,000 gallon capacity. Also includes any single unit self-propelled agricultural fertilizer implement, designed for both on and off road use, equipped with flotation tires and otherwise especially adapted for the application of plant food materials or agricultural chemicals. (Section 3-809 of the Code)

"State" means a state of the United States and the District of Columbia and includes a political subdivision of a state. (49 CFR 390.5, October 1, 1995 October-17-1994)

"Trailer" includes:

"Full trailer" means any motor vehicle other than a pole trailer which is designed to be drawn by another motor vehicle and so constructed that no part of its weight, except for the towing device, rests upon the self-propelled towing unit. A semitrailer equipped with an auxiliary front axle (converter dolly) shall be considered a full trailer. (49 CFR 390.5, October 1, 1995 October-17-1994)

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"Pole trailer" means any motor vehicle which is designed to be drawn by another motor vehicle and attached to the towing vehicle by means of a "reach" or "pole," or by being "boomed" or otherwise secured to the towing vehicle, for transporting long or irregularly shaped loads such as poles, pipes, or structural members, which generally are capable of sustaining themselves as beams between the supporting connections. (49 CFR 390.5, October 1, 1995 October-17-1994)

"Semitrailer" means any motor vehicle, other than a pole trailer, which is designed to be drawn by another motor vehicle and is constructed so that some part of its weight rests upon the self-propelled towing vehicle. (49 CFR 390.5, October 1, 1995 October-17-1994)

"Truck" means any self-propelled motor vehicle except a truck/tractor, designed and/or used for the transportation of property. (49 CFR 390.5, October 1, 1995 October-17-1994)

"Truck/tractor" means a self-propelled motor vehicle designed and/or used primarily for drawing other vehicles. (49 CFR 390.5, October 1, 1995 October-17-1994)

"United States" means the 50 states and the District of Columbia. (49 CFR 390.5, October 1, 1995 October-17-1994)

"US DOT" means the United States Department of Transportation.

(Source: Amended at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 390.1030 Rules of Construction

- a) In the MCSR unless the context requires otherwise:
- 1) Words imparting the singular include the plural;
  - 2) Words imparting the plural include the singular;
  - 3) Words imparting the masculine gender include the feminine; and
  - 4) Words imparting the present tense include the future tense. (49 CFR 390.7, October 1, 1995 October-17-1994)

b) In the MCSR:

- 1) "Officer" includes any person authorized by law to perform the duties of the office;
- 2) "Writing" includes printing and typewriting;
- 3) "Shall" is used in an imperative sense;
- 4) "Must" is used in an imperative sense;
- 5) "Should" is used in a recommendatory sense;
- 6) "May" is used in a permissive sense; and
- 7) "Includes" is used as a word of inclusion, not limitation. (49

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CFR 390.7, October 1, 1995 ~~October-17-1994~~)

(Source: Amended at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART B: GENERAL REQUIREMENTS AND INFORMATION

## Section 390.2000 Incorporation by Reference

- a) 49 CFR 390, subparts B and C are hereby incorporated by reference as those subparts of the FMCSR were in effect on October 1, 1995 ~~October 17-1994~~, as amended at 61 FR 9546, March 8, 1996 ~~59-FR-67544-December 29-1994~~, subject only to the exceptions in subsection (b). No later amendments to or editions of 49 CFR 390, subpart B and C are incorporated.
- b) The following interpretations of, additions to and deletions from 49 CFR 390, subparts B and C shall apply for the purposes of this Subpart.

1) 49 CFR 390.9 is deleted and not incorporated.

2) Section 390.15(a) is not incorporated and the following is substituted therefor:

A motor carrier shall make all records and information pertaining to an accident available to an authorized representative or special agent of the Federal Highway Administration or Illinois Department of Transportation upon request or as part of any inquiry within such time as the request or inquiry may specify. A motor carrier shall give an authorized representative of the Federal Highway Administration or Illinois Department of Transportation all reasonable assistance in the investigation of any accident including providing a full, true and correct answer to any question of the inquiry.

3) 49 CFR 390.21 applies only to commercial motor vehicles engaged in interstate commerce.

4) Section 49 CFR 390.23(a)(2)(i)(A) is not incorporated and the following substituted therefor:

An emergency has been declared by a Federal, State or local official having authority to declare an emergency, including but not limited to the Illinois Department of Transportation's Director, Division of Traffic Safety, or his designee.

5) 49 CFR 390.25 applies only to commercial motor vehicles engaged in interstate commerce.

6) Any reference to "this Part" in the incorporated material shall mean 92 Ill. Adm. Code 390.

7) Any reference to "this Chapter" or "this Subchapter" in the incorporated material shall mean 92 Ill. Adm. Code: Chapter I, Subchapter d.

## DEPARTMENT OF TRANSPORTATION

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- 8) Any reference to a section in the incorporated material shall be read to refer to that Section in the MCSR.
- 9) Any reference to "Part 325 of Subchapter A" shall be read to refer to "Compliance with Interstate Motor Carrier Noise Emission Standards." (49 CFR 325, October 1, 1995 ~~October-17-1994~~)

(Source: Amended at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



## DEPARTMENT OF TRANSPORTATION

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Parts and Accessories Necessary for Safe Operation
- 2) Code Citation: 92 Ill. Adm. Code 393
- 3) Section Numbers: Proposed Action:  
393.2000 Amend
- 4) Statutory Authority: Implementing and authorized by Sections 18b-102 and 18b-105 of the Illinois Motor Carrier Safety Law [625 ILCS 5/Ch. 18B].
- 5) A complete description of the subjects and issues involved: By this Notice of Proposed Amendments, the Department is updating the date of incorporation by reference of 49 CFR 393 as of October 1, 1995 and including the federal rulemaking adopted at 61 FR 1842, January 24, 1996.

This rulemaking incorporates by reference changes made in the following:

61 FR 1842, January 24, 1996 makes technical amendments to the regulations.

- 6) Will this proposed rulemaking replace an emergency rule currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Does this proposed amendment contain incorporations by reference? Yes. These conform to Section 5-75 of the Illinois Administrative Procedure Act.

- 9) Are there any other amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

By U.S. Mail:

Ms. Cathy Allen  
Regulations Unit  
Illinois Department of Transportation  
Division of Traffic Safety  
P.O. Box 19212  
Springfield, Illinois 62794-9212  
(217) 785-1181

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF PROPOSED AMENDMENTS

By Messenger or Inter-Agency Mail:

DOT Annex Building  
3215 Executive Park Drive  
Commercial Vehicle Safety, 3rd Floor  
Springfield, Illinois

JCAR requests, comments and concerns regarding this rulemaking should be addressed to:

Christine Caronna-Beard, Rules Manager  
Illinois Department of Transportation  
2300 South Dirksen Parkway, Room 300  
Springfield, IL 62764  
(217) 785-3215

Comments received within forty-five days after the date of publication of this *Illinois Register* will be considered. Comments received after that time will be considered, time permitting.

- 12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses affected: This rulemaking will affect small businesses which own or operate commercial motor vehicles in Illinois.

B) Reporting, bookkeeping or other procedures required for compliance: No new or additional procedures are necessary for compliance with this rulemaking.

C) Types of professional skills necessary for compliance: No new or additional skills are necessary for compliance.

- 13) Regulatory Agenda on which this rulemaking was summarized: January 1996

The full text of the Proposed Amendment(s) begins on the next page:

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION  
 CHAPTER I: DEPARTMENT OF TRANSPORTATION  
 SUBCHAPTER d: MOTOR CARRIER SAFETY REGULATIONS

## PART 393

## PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION

## Section

393.1000 General

393.2000 Incorporation by Reference of 49 CFR 393

**AUTHORITY:** Implementing and authorized by Sections 18b-102 and 18b-105 of the Illinois Motor Carrier Safety Law [625 ILCS 5/Ch. 18B ].

**SOURCE:** Adopted at 14 Ill. Reg. 15537, effective September 10, 1990; amended at 15 Ill. Reg. 13185, effective August 21, 1991; amended at 18 Ill. Reg. 774, effective January 11, 1994; amended at 19 Ill. Reg. 13070, effective August 30, 1995; amended at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 393.2000 Incorporation by Reference of 49 CFR 393**

- a) "Parts and Accessories Necessary for Safe Operation" (49 CFR 393) is incorporated by reference as that part of the Federal Motor Carrier Safety Regulations (FMCSR) (49 CFR 390, 391, 392, 393, 395, 396 and 397) that was in effect on October 1, 1995 1994, as amended at 61 FR 1842, January 24, 1996, subject only to the exceptions in subsection (c). No later amendments to or editions of 49 CFR 393 are incorporated.
- b) References to subchapters, parts, subparts, sections or paragraphs shall be read to refer to the appropriate citation in 49 CFR.
- c) The following interpretations of, additions to, and deletions from 49 CFR 393 shall apply for purposes of this Part.

- 1) Section 393.93 shall not apply to those commercial motor vehicles engaged in intrastate commerce which were manufactured before June 30, 1972 (Section 18b-105(c)(1) of the Illinois Motor Carrier Safety Law (the Law) [625 ILCS 5/18b-105(c)(1)]).
- 2) Section 393.86 shall not apply for those vehicles registered as farm trucks under Section 3-815(c) of the Illinois Vehicle Code (the Code) [625 ILCS 5/3-815(c)] and utilized in intrastate commerce (Section 18b-105(c)(2) of the Law).
- 3) Authorized Illinois State Police shall place vehicles out-of-service for violations of the "North American Uniform Out-of-Service Criteria" as defined at 92 Ill. Adm. Code 390.1020.

(Source: Amended at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Qualification of Drivers

2) Code Citation: 92 Ill. Adm. Code 391

3) Section Numbers: Proposed Action:  
391.2000 Amend

4) Statutory Authority: Implementing and authorized by Sections 18b-102 and 18b-105 of the Illinois Motor Carrier Safety Law [625 ILCS 5/Ch. 18b].

5) A complete description of the subjects and issues involved: By this Notice of Proposed Amendments, the Department is updating the date of incorporation by reference of 49 CFR 391 as of October 1, 1995 and including the federal rulemakings adopted at 61 FR 1842, January 24, 1996 and 61 FR 9546, March 8, 1996.

This rulemaking incorporates by reference changes made in the following Dockets:

61 FR 1842, January 24, 1996 makes technical, nonsubstantive amendments to the regulations.

Dockets MC-92-19 and MC-92-23 (61 FR 9546, March 8, 1996) makes technical, nonsubstantive amendments by terminating a schedule and providing for metrification conversion.

6) Will this proposed rulemaking replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? Yes. These conform to Section 5-75 of the Illinois Administrative Procedure Act.

9) Are there any other amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

By U.S. Mail:

Ms. Cathy Allen



## DEPARTMENT OF TRANSPORTATION

## NOTICE OF PROPOSED AMENDMENTS

Regulations Unit  
Illinois Department of Transportation  
Division of Traffic Safety  
P.O. Box 19212  
Springfield, Illinois 62794-9212  
(217) 785-1181

By Messenger or Inter-Agency Mail:

DOT Annex Building  
3215 Executive Park Drive  
Commercial Vehicle Safety; 3rd Floor  
Springfield, Illinois

JCAR requests, comments and concerns regarding this rulemaking should be addressed to:

Christine Caronna-Beard, Rules Manager  
Illinois Department of Transportation  
2300 South Dirksen Parkway, Room 300  
Springfield, IL 62764  
(217) 782-3215

Comments received within forty-five days after the date of publication of this *Illinois Register* will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses affected: This rulemaking will affect small businesses which own or operate commercial motor vehicles in Illinois.
- B) Reporting, bookkeeping or other procedures required for compliance: No new or additional procedures are necessary for compliance with this rulemaking.
- C) Types of professional skills necessary for compliance: No new or additional skills are necessary for compliance.

13) Regulatory Agenda on which this rulemaking was summarized: January 1996

The full text of the Proposed Amendment(s) begins on the next page:

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION  
CHAPTER I: DEPARTMENT OF TRANSPORTATION  
SUBCHAPTER d: MOTOR CARRIER SAFETY REGULATIONS

## PART 391

## QUALIFICATION OF DRIVERS

Section  
391.1000 General  
391.2000 Incorporation By Reference of 49 CFR 391

**AUTHORITY:** Implementing, and authorized by Sections 18b-102 and 18b-105 of, the Illinois Motor Carrier Safety Law [625 ILCS 5/Ch. 18b].

**SOURCE:** Adopted at 14 Ill. Reg. 15560, effective September 10, 1990; amended at 15 Ill. Reg. 13189, effective August 21, 1991; amended at 16 Ill. Reg. 5362, effective March 23, 1992; amended at 16 Ill. Reg. 14715, effective September 14, 1992; amended at 18 Ill. Reg. 783, effective January 11, 1994; amended at 19 Ill. Reg. 13077, effective August 30, 1995; amended at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 391.2000 Incorporation By Reference of 49 CFR 391

- a) The Department hereby incorporates 49 CFR 391 by reference, as that part of the Federal Motor Carrier Safety Regulations (FMCSA) (49 CFR 390, 391, 392, 393, 395, 396, and 397) that was in effect on October 1, 1995 ~~October-17-1994~~, as amended at 61 FR 1842, January 24, 1996; and as amended at 61 FR 9546, March 8, 1996 ~~59-PR-69319-November-23-1994-as-amended-at-59-PR-69921-December-12-1994-as-amended-at-60-PR-54-January-31-1995-and-as-amended-at-60-PR-133697-March-13-1995~~, subject only to the exceptions in subsection (c). No later amendments to or editions of 49 CFR 391 are incorporated.
- b) References to subchapters, parts, subparts, sections or paragraphs shall be read to refer to the appropriate citation in 49 CFR 391.
- c) The following interpretations of, additions to and deletions from 49 CFR 391 shall apply for purposes of this Part.
- 1) Authorized Illinois State Police shall place drivers out-of-service for violations of the "North American Uniform Out-of-Service Criteria" as defined at 92 Ill. Adm. Code 390.1020.
  - 2) Section 391.11(b)(1) does not apply to the operator of a commercial motor vehicle used in intrastate commerce.
  - 3) Paragraphs (b)(3) (insulin dependent diabetic) and (b)(10) (minimum visual acuity) of 49 CFR 391.41 shall not apply to the driver of a commercial motor vehicle with a gross vehicle weight rating or gross combination weight of over 12,000 lbs., used in the intrastate transportation of property who immediately prior to July 29, 1986 was eligible and licensed to operate a motor vehicle subject to the Illinois Motor Carrier Safety Regulations

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(IMCSR) and was engaged in operating such vehicles, and who was disqualified on July 29, 1986 by the adoption of 49 CFR 391.41 by reason of the application of paragraphs (b)(3) and (b)(10) of 49 CFR 391.41 with respect to a physical condition existing at that time unless such driver has a record of accidents which would indicate a lack of ability to operate a motor vehicle in a safe manner. (Section 18b-105 of the Law)

- 4) Paragraphs (b)(3) (insulin dependent diabetic) and (b)(10) (minimum visual acuity) of 49 CFR 391.41 shall not apply to the driver of a commercial motor vehicle which either has a gross vehicle weight rating (GVWR) or gross combination weight rating (GCWR) of between 10,000 and 12,001 pounds; or which is designed to transport more than 15 passengers, including the driver; or which has a GVWR or GCWR of less than 12,001 pounds and transports hazardous materials in a quantity requiring placarding under the Illinois Hazardous Materials Transportation Act. The vehicle must be used in intrastate transportation. The driver must have been eligible and licensed to operate a motor vehicle subject to the IMCSR and engaged in operating such vehicle immediately prior to January 17, 1992. The driver must have been disqualified on January 17, 1992 by the adoption of Public Act 87-829 which made the IMCSR applicable to vehicles described above. The reason for disqualification must have been the application of paragraphs (b)(3) and (b)(10) of 49 CFR 391.41 with respect to a physical condition existing at that time. This exception does not apply to any driver who has a record of accidents which would indicate a lack of ability to operate a motor vehicle in a safe manner.
- 5) Section 391.43(a)(1) is not incorporated and the following substituted therefor:

Except as provided by 49 CFR 391.43(b) of this section, the medical examination shall be performed by a licensed medical examiner as defined in 92 Ill. Adm. Code 390.1020.

- 6) Section 391.43(g)(4) is added to the Illinois Motor Carrier Safety Regulations and reads as follows:  
If a medical examiner determines that the driver is qualified to drive only in intrastate transportation due to the application of the provisions of Section 391.2000(c)(3) or 391.2000(c)(4) above, the following shall appear on the medical examiner's certificate: "Qualified only for intrastate transportation in Illinois."
- 7) Section 391.49(a) is not incorporated and the following substituted therefor:

A person who is not physically qualified to drive under 49 CFR 391, and who is otherwise qualified to drive a motor vehicle, may drive a motor vehicle in intrastate or intrastate transportation if the Regional Director, Motor Carrier Safety has granted a waiver to that person.

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- 8) Section 391.69 is deleted and not incorporated.
- 9) Section 391.83(a) is modified to cause 49 CFR 391, Subpart H to apply to motor carriers and persons, except for private motor carriers of passengers (nonbusiness), who operate a commercial motor vehicle, as defined in 49 CFR 391.85 in either interstate or intrastate commerce.

- 10) The definition of "commercial motor vehicle" in Section 391.85 is modified to include such vehicles operated in either interstate or intrastate commerce, and to not include farm machinery, fertilizer spreaders or other special agricultural movement equipment or implements of husbandry used in intrastate commerce.
- 11) Section 391.87(g) is not incorporated and the following substituted therefor:

A motor carrier shall produce upon demand and shall permit the Illinois Department of Transportation or Administrator of the US DOT to examine all records related to the administration and results of controlled substance testing performed under this Part.

(Source: Amended at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



## OFFICE OF BANKS AND REAL ESTATE

## NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Corporate Fiduciary Applications and Notices2) Code Citation: 38 Ill. Adm. Code 396

<u>Section Number:</u>	<u>Adopted Action:</u>
396.5	New Section
396.10	Amendment
396.20	Renumbered
396.30	Renumbered
396.110	Renumbered
396.120	Renumbered
396.210	New Section
396.220	New Section
396.230	New Section
396.310	New Section
396.320	New Section
396.330	New Section

4) Statutory Authority: Section 5-1(a) of the Corporate Fiduciary Act [205 IUCS 620/5-1(a)]5) Effective Date of Adopted Amendment: August 1, 19966) Does this amendment contain an automatic repeal date? No7) Does this amendment contain incorporations by reference? No8) Date Filed in Agency's Principal Office: February 1, 19969) Date Notice of Proposed Amendments was published in Illinois Register: February 16, 1996, 20 Ill. Reg. 263810) Has JCAR issued a Statement of Objections to this rule? No11) Differences between proposal and final version: Pursuant to recommendations by JCAR, Section 396.220 was modified to further describe items a trust company must demonstrate in order to have an application to establish a branch office approved. Also, Section 396.330 was modified to further describe the supporting documentation to be included with a completed notice form. The only other changes made were technical/formatting changes recommended by JCAR and technical revisions reflecting the recent agency merger creating the Office of Banks and Real Estate.12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? All the changes agreed upon by the Agency and JCAR have been made.

## OFFICE OF BANKS AND REAL ESTATE

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13) Will this amendment replace emergency amendments currently in effect? No14) Are there any other proposed amendments pending on this Part? No15) Summary and Purpose of Rules: The rulemaking renames Part 396 from "Corporate Fiduciary Subsidiaries" to "Corporate Fiduciary Applications and Notices." Also, two new subparts are added to set forth the findings the Agency must make to approve an application by a trust company to establish a branch office and the notice requirements for a bank, savings and loan association, or savings bank seeking to establish a trust branch office.16) Information and questions regarding these Adopted Amendments shall be directed to:

John Arthur  
Legislative Liaison  
Office of Banks and Real Estate  
500 East Monroe, Suite 900  
Springfield, IL 62701  
217/782-3000

The full text of the Adopted Amendments begins on the next page:

OFFICE OF BANKS AND REAL ESTATE  
NOTICE OF ADOPTED AMENDMENTS

TITLE 38: FINANCIAL INSTITUTIONS  
CHAPTER II: OFFICE OF BANKS AND REAL ESTATE COMMISSIONER-OF-BANKS-AND TRUST-COMPANIES

PART 396  
CORPORATE FIDUCIARY APPLICATIONS AND NOTICES SUBSIDIARIES

SUBPART A: GENERAL PROVISIONS

Section 396.5 Purpose  
396.10 Definitions  
396.20 Purpose (Renumbered)  
396.30 Factors to be Considered by the Commissioner (Renumbered)

SUBPART B: CORPORATE FIDUCIARY SUBSIDIARIES

396.110396-20 Purpose  
396.120396-30 Factors to be Considered by the Commissioner  
SUBPART C: CORPORATE FIDUCIARY BRANCH OFFICES - APPROVAL

Section 396.210 Purpose  
396.220 Terms and Conditions for Approval  
396.230 Application Procedures

SUBPART D: CORPORATE FIDUCIARY BRANCH OFFICES - NOTICE

Section 396.310 Purpose  
396.320 Notice Requirements  
396.330 Notice Procedures

AUTHORITY: Implementing Sections 1-7(a) and (b) and authorized by Sections 5-1(a) and 1-7(a) of the Corporate Fiduciary Act [205 ILCS 620/1-7(a) and (b) and 5-1(a)].

SOURCE: Adopted at 14 Ill. Reg. 15771, effective September 18, 1990; amended at 20 Ill. Reg. 10825, effective AUG 0 1 1996.

SUBPART A: GENERAL PROVISIONS

Section 396.5 Purpose

The Office of Banks and Real Estate is authorized to promulgate rules setting the terms and conditions for approval of corporate fiduciary applications and

OFFICE OF BANKS AND REAL ESTATE  
NOTICE OF ADOPTED AMENDMENTS

notices. The purpose of this Part is to set forth those terms and conditions under one heading to facilitate easy reference by the corporate fiduciaries affected.

(Source: Added at 20 Ill. Reg. 10825, effective AUG 0 1 1996)

Section 396.10 Definitions

"Commissioner" means the Commissioner of the Office of Banks and Real Estate the-Office-of-the-Commissioner-of-Banks-and-Trust-Companies.

"Corporate corporate fiduciary" shall have the meaning ascribed to it in Section 1-5.05 of the Corporate Fiduciary Act [205 ILCS 620] ~~and~~ Rev. Stat. 7-17, part-1551-i-et-seq-} as now or hereafter amended.

"Corporate corporate fiduciary subsidiary" means a subsidiary of a corporation organized for the purposes of accepting and executing trusts which has received a Certificate of Authority from the Commissioner to accept and execute trusts, but shall not include a state bank, a state savings and loan association, a state savings bank or any subsidiary thereof.

(Source: Amended at 20 Ill. Reg. 10825, effective AUG 0 1 1996)

Section 396.20 Purpose (Renumbered)

(Source: Section 396.20 renumbered to Section 396.110 at 20 Ill. Reg. 10825, effective AUG 0 1 1996)

Section 396.30 Factors to be Considered by the Commissioner (Renumbered)

(Source: Section 396.30 renumbered to Section 396.120 at 20 Ill. Reg. 10825, effective AUG 0 1 1996)

SUBPART B: CORPORATE FIDUCIARY SUBSIDIARIES

Section 396.110 396-20 Purpose

A corporate fiduciary which proposes to establish a subsidiary, whether by incorporating the subsidiary or by acquiring the subsidiary, shall apply, on an application specified by the Commissioner, for approval from the Commissioner, not less than 90 days prior to commencing business by the subsidiary if newly incorporated, or prior to its acquisition if it is acquired.

(Source: Section 396.110 renumbered from Section 396.20 at 20 Ill. Reg. 10825, effective AUG 0 1 1996)



**Section 396.120 396-30 Factors to be Considered by the Commissioner**

When reviewing an application to establish a corporate fiduciary subsidiary, the following factors are relevant:

- the types of activities to be conducted by the corporate fiduciary subsidiary (i.e., title insurance, employee benefit services, and bookkeeping services);
- the earnings potential of the corporate fiduciary subsidiary (i.e., the earnings are sufficient to meet the current and anticipated needs of the subsidiary as identified in the business plan);
- the general character and experience of the management of the corporate fiduciary subsidiary (i.e., background, formal education, and practical experience in the types of services to be provided by the subsidiary); and
- the effect of the corporate fiduciary subsidiary upon the financial condition of the corporate fiduciary.

(Source: Section 396.120 renumbered from Section 396.30 at 20 Ill. Reg. 10825, effective AUG 01 1996)

**SUBPART C: CORPORATE FIDUCIARY BRANCH OFFICES - APPROVAL**

**Section 396.210 Purpose**

Section 1-7(a) of the Corporate Fiduciary Act requires any corporate fiduciary that is a trust company to apply for and obtain approval from the Commissioner thirty days prior to the purchasing or leasing of land, building, or equipment for the establishment of a branch office. This Subpart sets forth the terms and conditions a trust company must satisfy in order for the Commissioner to approve its application for the establishment of a branch office.

(Source: Added at 20 Ill. Reg. 10825, effective AUG 01 1996)

**Section 396.220 Terms and Conditions for Approval**

A trust company must demonstrate the following in order for the Commissioner to approve its application to establish a branch office:

- That the trust company's aggregate direct and indirect fixed asset investment, including lease obligations, will be reasonable in relation to its protected earnings, capital, surplus and reserves, and liquidity (i.e., generally not greater than 50%).
- That the expense of establishing and operating the branch office will not have an undue effect on the trust company's earnings (i.e., the establishment will not result in negative net earnings and will not bring capital below that required for safe and sound operation).
- That the management of the trust company and the branch has demonstrated or will demonstrate the ability to operate the trust

company branch office in a safe and sound manner (i.e., proposed management has the appropriate level of experience commensurate with the accounts to be administered, the prior conduct of management was conducted in a safe and sound manner and appropriate internal controls are in place to adequately supervise management actions).

- That the trust company has developed procedures for operations, controls and audits at the branch office, including but not limited to facilities for safekeeping and recordkeeping.
- That the types of activities proposed to be performed at the branch office are consistent with and within the scope of the activities performed by the trust company and authorized by the trust company's certificate of authority.

(Source: Added at 20 Ill. Reg. 10825, effective AUG 01 1996)

**Section 396.230 Application Procedures**

- A trust company that intends to establish a branch office shall file an application for approval with the Commissioner on forms prescribed by the Commissioner.

b) The application shall be deemed filed when the Commission has received the applicable filing fee and a completed application form, including all of the supporting documentation necessary to determine that the terms and conditions set forth in this rule have been satisfied.

(Source: Added at 20 Ill. Reg. 10825, effective AUG 01 1996)

**SUBPART D: CORPORATE FIDUCIARY BRANCH OFFICES - NOTICE**

**Section 396.310 Purpose**

Section 1-7(a) of the Corporate Fiduciary Act requires any corporate fiduciary that is a bank savings and loan association, or savings bank, to give notice of its intent to establish a branch to the Commissioner thirty days prior to the purchasing or leasing of land, building, or equipment for the establishment of a branch office. This Subpart sets forth the items to be included in the notice of intent.

(Source: Added at 20 Ill. Reg. 10825, effective AUG 01 1996)

**Section 396.320 Notice Requirements**

The notice of intent to establish a branch office, from a corporate fiduciary that is a bank, savings and loan association, or savings bank, to the Commissioner shall include the following information:

## OFFICE OF BANKS AND REAL ESTATE

## NOTICE OF ADOPTED AMENDMENTS

- a) The names and qualifications of the proposed branch management.  
 b) A copy of the procedures for operations, controls and audits at the branch office, including but not limited to facilities for safekeeping and recordkeeping.  
 c) A list of the activities proposed to be performed at the branch office.

(Source: Added at 20 Ill. Reg. 10825, effective AUG 01 1996 )

## Section 396.330 Notice Procedures

- a) A corporate fiduciary that is a bank, savings and loan association, or savings bank that intends to establish a branch office shall file a notice of intent with the Commissioner on forms prescribed by the Commissioner.  
 b) The notice of intent shall be deemed filed when the Commissioner has received the applicable filing fee and a completed notice form, including all of the supporting documentation specified in the notice form, that shall include, but not be limited to: a certified copy of the resolution of the establishing corporate fiduciary's board of directors authorizing the establishment of the bank; if the establishing corporate fiduciary intends to lease the property at which the branch will be located or to lease equipment for the branch, a copy of the proposed lease; if a building permit is required for the branch, a copy of the application to be filed with the appropriate authority.

(Source: Added at 20 Ill. Reg. 10825, effective AUG 01 1996 )

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- 1) Heading of the Part: Electronic Fund Transfers  
 2) Code Citation: 38 Ill. Adm. Code 315  
 3) Section Number:  
     Adopted Action:  
     315.110 New Section  
     315.210 New Section  
     315.220 New Section  
     315.230 New Section  
     315.240 New Section  
     315.250 New Section  
     315.260 New Section  
     315.270 New Section  
     315.310 New Section

- 4) Statutory Authority: Section 20(1) of the Electronic Fund Transfer Act [205 ILCS 616/20(1)].

- 5) Effective Date of Adopted Amendment: August 1, 1996

- 6) Does this amendment contain an automatic repeal date? No

- 7) Does this amendment contain incorporations by reference? No

- 8) Date Filed in Agency's Principal Office: March 1, 1996

- 9) Date Notice of Proposed Amendments was published in Illinois Register: March 29, 1996, 20 Ill. Reg. 4871

- 10) Has JCAR issued a Statement of Objections to this rule? No

- 11) Differences between proposal and final version: Pursuant to recommendations by JCAR, an "Agency Note" was added to provide historical context for the rule and Section 315.310 was changed to clarify provisions relating to fees charged by the Commissioner for the examination of networks and switches. The only other changes made were technical/formatting changes recommended by JCAR and technical revisions reflecting the recent agency merger creating the Office of Banks and Real Estate.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? All the changes agreed upon by the Agency and JCAR have been made.

- 13) Will this amendment replace emergency amendments currently in effect? No

- 14) Are there any other proposed amendments pending on this Part? No



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15) Summary and Purpose of Rules: Public Act 89-310 repealed the Electronic Fund Transfer Transmission Facility Act and created a new law, the Electronic Fund Transfer Act. The proposed rules (Part 315) are the new rules for the new law. Existing rules (Part 310), adopted under the defunct law, are now obsolete and are being repealed.

16) Information and questions regarding these Adopted Amendments shall be

directed to:

John Arthur  
Legislative Liaison  
Office of Banks and Real Estate  
500 East Monroe, Suite 900  
Springfield, Illinois 62701  
217/782-3000

The full text of the Adopted Amendments begins on the next page:

## OFFICE OF BANKS AND REAL ESTATE

## NOTICE OF ADOPTED AMENDMENTS

TITLE 38: FINANCIAL INSTITUTIONS

CHAPTER II: OFFICE OF BANKS AND REAL ESTATE

PART 315

ELECTRONIC FUND TRANSFERS

## SUBPART A: DEFINITIONS

Section  
315.110

Definitions

## SUBPART B: ARBITRATION OF DISPUTES

Section

315.210 Scope and Authority  
315.220 Statement of Claim, Response and Reply  
315.230 Motions  
315.240 Appearances  
315.250 Appointment of Hearing Officer  
315.260 Service  
315.270 Procedures

## SUBPART C: FEES FOR THE EXAMINATION OF NETWORKS AND SWITCHES

Section  
315.310

Fees and Charges

AUTHORITY: Implementing and authorized by Section 20(1) of the Electronic Fund Transfer Act [205 ILCS 616/20(1)].

SOURCE: Adopted at 20 Ill. Reg. **10832**, effective **AUG 01 1996**.

AGENCY NOTE: 38 Ill. Adm. Code 310, Electronic Fund Transfers, was repealed and this Part 38 Ill. Adm. Code 315, Electronic Fund Transfers, was adopted at 20 Ill. Reg. **10832**, effective **AUG 01 1996**.

## SUBPART A: DEFINITIONS

## Section 315.110 Definitions

The words and phrases used in this Part and not defined in this Section shall have the meanings ascribed to them in the Electronic Fund Transfer Act [205 ILCS 616].

"Act" means the Electronic Fund Transfer Act [205 ILCS 616].

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"Commissioner" means the Illinois Commissioner of the Office of Banks and Real Estate.

"Hearing officer" means the Commissioner or an attorney licensed in the State of Illinois who has been appointed by the Commissioner to conduct a hearing.

"Party" includes the Claimant and Respondent to an administrative proceeding.

## SUBPART B: ARBITRATION OF DISPUTES

**Section 315.210 Scope and Authority**

Pursuant to Section 45 of the Act, these rules establish the procedure for arbitration of disputes by the Commissioner. It is expected that prior to invoking the procedures established in Section 315.220, the parties shall make an effort to settle their disputes.

**Section 315.220 Statement of Claim, Response and Reply**

- a) A person desiring arbitration, hereafter called "Claimant", shall file with the Commissioner a Statement of Claim which shall:
  - 1) identify the parties to the dispute;
  - 2) set forth a brief statement of facts giving rise to the Statement of Claim;
  - 3) state the legal basis for the claim;
  - 4) state the relief which Claimant requests or to which it deems itself entitled;
  - 5) be signed by the Claimant or by the Claimant's attorney and contain the address and telephone number of the individual signing the Statement of Claim. There shall be attached to the Statement of Claim as an exhibit a copy of any agreement between the Claimant and the person against whom relief is sought, hereafter referred to as "Respondent" and also a copy of any other document upon which Claimant relies. Claimant shall at the time of filing also serve a copy of the Statement of Claim together with attached exhibits upon the Respondent; and
- b) Claimant, by filing a Statement of Claim, shall be deemed to have waived any rights under Section 45 of the Act to seek court action except for the right to seek administrative review of the Commissioner's administrative decision.
- c) Within 20 days after service of the Statement of Claim upon the Respondent, or within such additional time as the Commissioner may grant for good cause shown, the Respondent may file a Response which shall be delivered to the Commissioner and a copy served upon the Claimant. All requests for extension shall be in writing. In

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determining whether to grant an extension the Commissioner shall consider such factors as: availability of party's counsel; unavailability of personnel necessary to prepare the Response. The Response shall state whether the Respondent desires a hearing. Respondent, by filing a Response, shall be deemed to have waived any rights under Section 45 of the Act to seek court action except for the right to seek administrative review of the Commissioner's administrative decision. Any respondent who wishes to seek court action shall file a Responsive Statement to that effect with the Commissioner and the Claimant within 20 days after service of the Statement of Claim upon the Respondent. Within 30 days after filing the Responsive Statement, the Respondent shall file or cause to be filed original pleadings seeking court action and shall file a certified copy of such pleadings with the Commissioner. Any Respondent who fails to file a Responsive Statement or who thereafter fails to file the pleading instituting such court action shall be deemed to have waived his or her rights under Section 45 of the Act to seek court action except for the right to seek administrative review of the Commissioner's administrative decision.

- d) Claimant may file a Reply within 20 days after receipt of the Response. Such Reply shall be delivered to the Commissioner and a copy served upon the Respondent.
- e) If upon reviewing the Statement of Claim, Response and Reply thereto, if any, the Commissioner finds that neither party has requested a hearing, he shall:
  - 1) make an administrative decision based on the parties' Statement of Claim, Response and Reply thereto, if any; or
  - 2) make a determination that a hearing be held. The Commissioner shall make a determination that a hearing be held if the facts are in dispute or it is apparent additional information is necessary.
- f) If the Commissioner determines that a hearing should be held, he shall, within 14 days after expiration of the 20 day period within which Claimant may file a Reply, notify the parties in writing as to the date, time and place of the hearing.

**Section 315.230 Motions**

- a) Motions preliminary to the hearing shall be in writing and served upon all parties and the hearing officer no later than 10 days prior to the hearing. Responses to such motions shall be in writing and served in similar manner no later than 5 days prior to the hearing.
- b) The hearing officer shall rule upon a preliminary motion with a written ruling. Oral arguments will be heard on a preliminary motion unless the hearing officer determines that such oral arguments will delay the hearing date. The filing of a preliminary motion or response thereto shall not stay any hearing scheduled upon a Statement of Claim.



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- c) All other motions shall be in writing unless made during the hearing and shall be served in accordance with Section 315.260.

**Section 315.240 Appearances**

- a) A party may appear on such party's own behalf or may be represented by an attorney.
- b) An attorney who represents a party shall file an appearance with the hearing officer which shall state the party so represented, and the name, address and telephone number of the attorney.

**Section 315.250 Appointment of Hearing Officer**

The Commissioner shall send notice of the appointment of a hearing officer to all parties together with the name and address of the hearing officer appointed.

**Section 315.260 Service**

The original of all pleadings, including but not limited to all Statements of Claim, Responses, Responsive Statements, Replies, Motions and Responses to Motions, shall be served upon the Commissioner at 500 East Monroe Street, Springfield, IL 62701-1532. A copy shall be served upon the hearing officer, if any. Pleadings shall be served upon all persons required to receive them by hand delivery or certified mail. Service upon the attorney of record for a party shall be deemed service upon that party.

**Section 315.270 Procedures**

Other procedural matters in the conduct of an arbitration of a dispute shall, to the extent not inconsistent with this Part 315, be governed by the following Sections of 38 Ill. Adm. Code 392 (Hearings Before the Commissioner of Banks and Trust Companies):

- a) Form of Pleadings, by Section 392.90;
- b) Consolidation of Hearing Proceedings, by Section 392.120;
- c) Authority of Hearing Officer, by Section 392.130;
- d) Prehearing Conferences, by Section 392.140;
- e) Subpoenas, by Section 392.150;
- f) Discovery, by Section 392.160;
- g) Evidence Depositions, by Section 392.170;
- h) Conduct of a Hearing, by Section 392.180 except that in subsections (c), (e) and (g) of such Section, the word "Claimant" shall be substituted for "Commissioner";
- i) Evidence, by Section 392.190;
- j) Record of Hearing Proceedings, by Section 392.200;
- k) Briefs, by Section 392.210;
- l) Hearing Officer's Recommendation, by Section 392.220;
- m) Commissioner's Determination, by Section 392.230; and

## OFFICE OF BANKS AND REAL ESTATE

## NOTICE OF ADOPTED AMENDMENTS

- n) Construction of Rules, by Section 392.240.

**SUBPART C: FEES FOR THE EXAMINATION OF NETWORKS AND SWITCHES****Section 315.310 Fees and Charges**

The Commissioner is authorized by Section 25 of the Act to examine any network and any switch as to any transaction by, with, or involving a financial institution that has established a terminal in this State. The Commissioner shall charge a fee of no more than \$750 per examiner per day to cover the costs of such an examination. The Commissioner reserves the right to charge less than the fee stated in this Section. The same fee will be charged equally to all networks examined under this Part, unless the examination costs of a particular network justify an additional amount (i.e., out-of-state or out-of-country travel or use of contract personnel).

## OFFICE OF BANKS AND REAL ESTATE

## NOTICE OF ADOPTED REPEALER

1) Heading of the Part: Electronic Fund Transfers2) Code Citation: 38 Ill. Adm. Code 3103) Section Number:Adopted Action:

310.110

Repeal

310.210

Repeal

310.220

Repeal

310.230

Repeal

310.240

Repeal

310.250

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310.260

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310.270

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310.370

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310.410

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310.420

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310.430

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310.870

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310.880

Repeal

310.890

Repeal

310.910

Repeal

## OFFICE OF BANKS AND REAL ESTATE

## NOTICE OF ADOPTED REPEALER

ILOS 616/20(1)].

5) Effective Date of Repealer: August 1, 19966) Does this amendment contain an automatic repeal date? No7) Does this amendment contain incorporations by reference? No8) Date Filed in Agency's Principal Office: March 1, 19969) Date Notice of Proposed Repealer was published in Illinois Register:

March 29, 1996, 20 Ill. Reg. 4850

10) Has JCAR issued a Statement of Objections to this rule? No11) Differences between proposal and final version: Pursuant to a recommendation by JCAR, an "Agency Note" was added to the file page to provide historical context for the repealer.12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? All the changes agreed upon by the Agency and JCAR have been made.13) Will this repealer replace emergency amendments currently in effect?

No

14) Are there any other proposed amendments pending on this Part? No15) Summary and Purpose of Rules: Public Act 89-310 repealed the Electronic Fund Transfer Transmission Facility Act. The rules in Part 310 were adopted under that repealed law. Consequently, Part 310 is now obsolete and is being repealed.16) Information and questions regarding this Adopted Repealer shall be directed to:

John Arthur  
Legislative Liaison  
Office of Banks and Real Estate  
500 East Monroe, Suite 900  
Springfield, Illinois 62701  
217/782-3000



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Pay Plan
- 2) The Code Citation: 80 Ill. Adm. Code 310
- 3) Section Number: Adopted Action:  
310.230 Amended
- 4) Statutory Authority: Authorized by Section 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].
- 5) Effective Date of Amendment: August 5, 1996
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporation by reference? These amendments do not contain any incorporations by reference.
- 8) Date filed in Agency's Principal Office: August 5, 1996
- 9) Notice of Proposal Published in Illinois Register: April 12, 1996, Issue #15, 20 Ill. Reg. 5405
- 10) Has JCER issued a Statement of Objections to this rule? No
- 11) Difference between proposal and final version:
  1. In line 235, added "for a maximum of 150 days".
  2. In line 236, changed "1996" to "1995".
  3. In lines 308, 310, 312 and 314, struck the redundancies of the Physician Specialist titles.
- 12) Have all the changes agreed upon by the agency and JCER been made as indicated in the agreement letter issued by JCER? Yes

- 13) Will these Amendments replace an emergency amendment currently in effect?  
No

- 14) Are there any amendments pending to this part? Yes

Section Numbers	Proposed Action	Ill. Reg. Citation
310.290	Amended	20 Ill. Reg. 9777 (July 26, 1996)
310.440	Amended	20 Ill. Reg. 9777 (July 26, 1996)
310.450	Amended	20 Ill. Reg. 9777

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENT

- |                |         |                                      |
|----------------|---------|--------------------------------------|
| 310.456        | Amended | (July 26, 1996)<br>20 Ill. Reg. 9777 |
| 310.480        | Amended | (July 26, 1996)<br>20 Ill. Reg. 9777 |
| 310.500        | Amended | (July 26, 1996)<br>20 Ill. Reg. 9777 |
| 310.530        | Amended | (July 26, 1996)<br>20 Ill. Reg. 9777 |
| 310.540        | Amended | (July 26, 1996)<br>20 Ill. Reg. 9777 |
| 310.Appendix C | Amended | (July 26, 1996)<br>20 Ill. Reg. 9777 |
| 310.Appendix D | Amended | (July 26, 1996)<br>20 Ill. Reg. 9777 |
| 310.Appendix G | Amended | (July 26, 1996)<br>20 Ill. Reg. 9777 |

- 15) Summary and Purpose of Amendment: In Section 310.230, Part-Time Daily or Hourly Special Services Rate, the Department of Agriculture had made a request to change their per diem Apiary Inspector from daily rates to hourly rates. The current daily rate range of \$32 to \$50 for the Apiary Inspector was changed to an hourly rate range of \$8.28 to \$10.15.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Mr. Michael Murphy  
Department of Central Management Services  
Division of Technical Services  
504 William G. Stratton Building  
Springfield, IL 62706  
217/782-5601

The full text of the Adopted Amendment(s) begins on the next page:

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES

SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND

POSITION CLASSIFICATIONS

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310

PAY PLAN

SUBPART A: NARRATIVE

Section 310.20 Policy and Responsibilities  
310.30 Jurisdiction  
310.40 Pay Schedules  
310.50 Definitions  
310.60 Conversion of Base Salary to Pay Period Units  
310.70 Conversion of Base Salary to Daily or Hourly Equivalents  
310.80 Increases in Pay  
310.90 Decreases in Pay  
310.100 Other Pay Provisions  
310.110 Implementation of Pay Plan Changes for Fiscal Year 1996  
310.120 Interpretation and Application of Pay Plan  
310.130 Effective Date  
310.140 Reinstitution of Within Grade Salary Increases  
310.150 Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, Effective July 1, 1984 (Repealed)

Section 310.205 Introduction  
310.210 Prevailing Rate  
310.220 Negotiated Rate  
310.230 Part-Time Daily or Hourly Special Services Rate  
310.240 Hourly Rate  
310.250 Member, Patient and Inmate Rate  
310.260 Trainee Rate  
310.270 Legislated and Contracted Rate  
310.280 Designated Rate  
310.290 Out-of-State or Foreign Service Rate  
310.300 Educator Schedule for RC-063 and HR-010  
310.310 Physician Specialist Rate  
310.320 Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections  
310.330 Excluded Classes Rate (Repealed)

SUBPART B: SCHEDULE OF RATES

Section 310.205 Introduction  
310.210 Prevailing Rate  
310.220 Negotiated Rate  
310.230 Part-Time Daily or Hourly Special Services Rate  
310.240 Hourly Rate  
310.250 Member, Patient and Inmate Rate  
310.260 Trainee Rate  
310.270 Legislated and Contracted Rate  
310.280 Designated Rate  
310.290 Out-of-State or Foreign Service Rate  
310.300 Educator Schedule for RC-063 and HR-010  
310.310 Physician Specialist Rate  
310.320 Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections  
310.330 Excluded Classes Rate (Repealed)

SUBPART C: MERIT COMPENSATION SYSTEM

Section 310.205 Introduction  
310.210 Prevailing Rate  
310.220 Negotiated Rate  
310.230 Part-Time Daily or Hourly Special Services Rate  
310.240 Hourly Rate  
310.250 Member, Patient and Inmate Rate  
310.260 Trainee Rate  
310.270 Legislated and Contracted Rate  
310.280 Designated Rate  
310.290 Out-of-State or Foreign Service Rate  
310.300 Educator Schedule for RC-063 and HR-010  
310.310 Physician Specialist Rate  
310.320 Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections  
310.330 Excluded Classes Rate (Repealed)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES

SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND

POSITION CLASSIFICATIONS

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310

PAY PLAN

SUBPART A: NARRATIVE

Section 310.410 Jurisdiction  
310.420 Objectives  
310.430 Responsibilities  
310.440 Merit Compensation Salary Schedule  
310.450 Procedures for Determining Annual Merit Increases  
310.455 Intermittent Merit Increase  
310.456 Merit Zone  
310.460 Other Pay Increases  
310.470 Adjustment  
310.480 Decreases in Pay  
310.490 Other Pay Provisions  
310.495 Broad-Band Pay Range Classes  
310.500 Definitions  
310.510 Conversion of Base Salary to Pay Period Units  
310.520 Conversion of Base Salary to Daily or Hourly Equivalents  
310.530 Implementation  
310.540 Annual Merit Increase Guidechart for Fiscal Year 1995  
310.550 Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)

Section 310.205 Introduction  
310.210 Prevailing Rate  
310.220 Negotiated Rate  
310.230 Part-Time Daily or Hourly Special Services Rate  
310.240 Hourly Rate  
310.250 Member, Patient and Inmate Rate  
310.260 Trainee Rate  
310.270 Legislated and Contracted Rate  
310.280 Designated Rate  
310.290 Out-of-State or Foreign Service Rate  
310.300 Educator Schedule for RC-063 and HR-010  
310.310 Physician Specialist Rate  
310.320 Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections  
310.330 Excluded Classes Rate (Repealed)

SUBPART B: SCHEDULE OF RATES

Section 310.205 Introduction  
310.210 Prevailing Rate  
310.220 Negotiated Rate  
310.230 Part-Time Daily or Hourly Special Services Rate  
310.240 Hourly Rate  
310.250 Member, Patient and Inmate Rate  
310.260 Trainee Rate  
310.270 Legislated and Contracted Rate  
310.280 Designated Rate  
310.290 Out-of-State or Foreign Service Rate  
310.300 Educator Schedule for RC-063 and HR-010  
310.310 Physician Specialist Rate  
310.320 Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections  
310.330 Excluded Classes Rate (Repealed)

SUBPART C: MERIT COMPENSATION SYSTEM

Section 310.205 Introduction  
310.210 Prevailing Rate  
310.220 Negotiated Rate  
310.230 Part-Time Daily or Hourly Special Services Rate  
310.240 Hourly Rate  
310.250 Member, Patient and Inmate Rate  
310.260 Trainee Rate  
310.270 Legislated and Contracted Rate  
310.280 Designated Rate  
310.290 Out-of-State or Foreign Service Rate  
310.300 Educator Schedule for RC-063 and HR-010  
310.310 Physician Specialist Rate  
310.320 Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections  
310.330 Excluded Classes Rate (Repealed)



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENT

TABLE X	RC-063 (Professional Employees, AFSCME)
TABLE Y	RC-063 (Educators, AFSCME)
TABLE Z	RC-063 (Physicians, AFSCME)
APPENDIX B	Schedule of Salary Grades - Monthly Rates of Pay for Fiscal Year 1997
APPENDIX C	Medical Administrator Rates for Fiscal Year 1995
APPENDIX D	Merit Compensation System Salary Schedule for Fiscal Year 1995
APPENDIX E	Teaching Salary Schedule (Repealed)
APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)
APPENDIX G	Broad-Band Pay Range Classes Salary Schedule

AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code (20 ILCS 415/8 and 8a).

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11999, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 13675, effective July 31, 1986; emergency amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 19132, effective October 28, 1986; emergency amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; emergency amendment at 11 Ill. Reg.

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3363, effective February 3, 1987; emergency amendment at 11 Ill. Reg. 4388, effective February 27, 1987; emergency amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; emergency amendment at 11 Ill. Reg. 15273, effective September 1, 1987; emergency amendment at 11 Ill. Reg. 17919, effective October 19, 1987; emergency amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; emergency amendment at 12 Ill. Reg. 3811, effective January 27, 1988; emergency amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; emergency amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 8135, effective April 22, 1988; emergency amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; emergency amendment at 12 Ill. Reg. 20584, effective November 28, 1988; emergency amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; emergency amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; emergency amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; emergency amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; emergency amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; emergency amendment at 14 Ill. Reg. 18854, effective November 13, 1990; emergency amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14,

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peremptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; peremptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; peremptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; peremptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; peremptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; peremptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; peremptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; peremptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; peremptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; peremptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; peremptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; peremptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; peremptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160, effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27,

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1996, for a maximum of 150 days; peremptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; peremptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective AUG 05 1996.

## SUBPART B: SCHEDULE OF RATES

## Section 310.230 Part-time Daily or Hourly Special Services Rate

The rate of pay as approved by the Director of Central Management Services for persons employed on a consultative or part-time basis requiring irregular hours of work shall be as listed below, except the total compensation of an employee in any given month shall not exceed the monthly rate of Step 5 of the salary grade for the title as shown in the Schedule of Salary Grades (Appendix B) of this Part if the class title is subject to the Schedule of Salary Grades, or Step 5 of the negotiated salary range for classes of positions shown in Section 310.220, Subpart B, Schedule of Rates, or 75% of the maximum rate of those classes of positions subject to the provisions of the Merit Compensation System, Subpart C of this Pay Plan.

Account Technician II	11.00 to 14.08 (hourly)
Apiary Inspector	83 to 106 (daily)
	8.28 to 10.15 (hourly)
Building/Grounds Laborer	32-to-50-(daily)
Building/Grounds Lead I	4.25 to 6.00 (hourly)
Building/Grounds Lead II	4.25 to 7.00 (hourly)
Building/Grounds Maintenance Worker	5.25 to 8.00 (hourly)
Chaplain I	5.00 to 6.00 (hourly)
Chemist I	32 to 70 (daily)
Conservation/Historic Preservation Worker	32 to 45 (daily)
Conservation/Historic Preservation Worker (2nd season -- site interpretation)	4.50 to 6.50 (hourly)
Conservation/Historic Preservation Worker (3rd season -- site interpretation)	4.64 to 6.50 (hourly)
Dentist I	4.78 to 6.50 (hourly)
Dentist II	70 to 150 (daily)
Educator	100 to 185 (daily)
Educator Aide	25 to 85 (daily)
Guard II	32 to 35 (daily)
Guard III	67 to 84 (daily)
Hearing and Speech Coordinator	75 to 96 (daily)
	15 to 30 (hourly)

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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Hearings Referee  
 Janitor I  
 Labor Maintenance Lead Worker  
 Labor Relations Investigator  
 Laborer (Maintenance)  
 Maintenance Worker  
 Occupational Therapist  
 Program Coordinator  
 Office Aide  
 Eff. FY '96: 75 to 200 (daily)  
 4.73 to 5.30 (hourly)  
 5.00 to 6.00 (hourly)  
 35 to 70 (daily)  
 4.25 to 5.70 (hourly)  
 4.25 to 5.00 (hourly)

Office Assistant  
 Eff. FY '96: 40 to 160 (daily)  
 8.12 to 10.40 (hourly)  
 60 to 78 (daily)  
 8.12 to 10.71 (hourly)  
 60 to 80 (daily)  
 9.16 to 12.00 (hourly)  
 68 to 90 (daily)  
 9.16 to 12.36 (hourly)  
 68 to 93 (daily)  
 9.80 to 13.05 (hourly)  
 73 to 98 (daily)  
 9.80 to 13.44 (hourly)  
 73 to 101 (daily)  
 8.58 to 11.15 (hourly)  
 64 to 84 (daily)  
 8.58 to 11.49 (hourly)  
 64 to 86 (daily)  
 15 to 35 (hourly)  
 50 to 160 (daily)  
 100 to 300 (daily)  
 20 to 60 (hourly)  
 20 to 70 (hourly)  
 20 to 75 (hourly)  
 20 to 115 (hourly)  
 50 to 125 (daily)  
 35 to 80 (daily)  
 40 to 125 (daily)  
 40 to 150 (daily)  
 5.33 (hourly)  
 32 to 40 (daily)  
 39 to 54 (daily)  
 41 to 56 (daily)

Office Associate  
 Eff. FY '96: 43 to 58 (daily)  
 44 to 59 (daily)  
 43 to 58 (daily)  
 44 to 59 (daily)  
 45 to 60 (daily)  
 47 to 62 (daily)

Office Clerk  
 Eff. FY '96: 43 to 58 (daily)  
 44 to 59 (daily)  
 43 to 58 (daily)  
 44 to 59 (daily)  
 45 to 60 (daily)  
 47 to 62 (daily)

Optometrist  
 Physician  
 Physician Specialist (A)  
 Physician Specialist (B)  
 Physician Specialist (C)  
 Physician Specialist (D)  
 Podiatrist  
 Psychologist I  
 Psychologist II  
 Psychologist III  
 Recreation Worker I  
 Registered Nurse I  
 Registered Nurse I  
 (2nd or 3rd shift)  
 Registered Nurse I (Cook County)  
 Registered Nurse I (Cook County -  
 2nd or 3rd shift)  
 Registered Nurse II  
 Registered Nurse II  
 (2nd or 3rd shift)  
 Registered Nurse II (Cook County)  
 Registered Nurse II (Cook County -

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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2nd or 3rd shift)  
 Revenue Tax Specialist I  
 Social Worker II  
 Social Worker III  
 Student Worker  
 Technical Advisor II  
 Technical Advisor III  
 Veterinarian II  
 11.56 to 16.16 (hourly)  
 86 to 122 (daily)  
 35 to 75 (daily)  
 35 to 80 (daily)  
 4.25 to 8.00 (hourly)  
 32 to 35 (hourly)  
 32 to 60 (hourly)  
 95 to 130 (daily)

(Source: Amended at 20 Ill. Reg. effective  
AUG 05 1996 10841)



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Crow, Woodchuck, Snipe, Rail and Teal Hunting

2) Code Citation: 17 Ill. Adm. Code 740

3) Section Numbers: Adopted Action:  
740.10 Amendments  
740.20 Amendments

4) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.18, 2.26, 2.33 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.18, 2.26, 2.33 and 3.5].

5) Effective Date of Rulemaking: August 5, 1996

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: August 5, 1996

9) Notice of Proposal Published in Illinois Register: April 26, 1996, 20 Ill. Reg. 5927

10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version: None

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rulemaking replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rulemaking: This Part was amended to open an additional area at Union County Conservation Area for hunting and to change the name of Pike County Conservation Area to Ray Norbut State Fish and Wildlife Area.

16) Information and questions regarding these adopted amendments shall be directed to:

Jack Price  
Department of Natural Resources  
524 S. Second Street, Room 430  
Springfield, IL 62701-1787  
217/782-1809

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

The full text of the Adopted Amendment begins on the next page:

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

## TITLE 17: CONSERVATION

## CHAPTER I: DEPARTMENT OF NATURAL RESOURCES CONSERVATION

## SUBCHAPTER b: FISH AND WILDLIFE

## PART 740

## CROW, WOODCOCK, SNIPE, RAIL AND TEAL HUNTING

## Section

740.10 Statewide Regulations

740.20 Regulations at Various Department-Owned or -Managed Sites

**AUTHORITY:** Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.18, 2.26, 2.33 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.18, 2.26, 2.33 and 3.5] and Migratory Bird Hunting (50 CFR 20, August 25, 1987).

**SOURCE:** Adopted at 5 Ill. Reg. 8896, effective August 25, 1981; codified at 5 Ill. Reg. 10645; amended at 6 Ill. Reg. 357, effective December 23, 1981; amended at 6 Ill. Reg. 9648, effective July 21, 1982; amended at 7 Ill. Reg. 8815, effective July 15, 1983; amended at 8 Ill. Reg. 16796, effective August 30, 1984; amended at 9 Ill. Reg. 11620, effective July 16, 1985; peremptory amendments at 9 Ill. Reg. 14383, effective September 5, 1985; amended at 10 Ill. Reg. 15607, effective September 16, 1986; amended at 11 Ill. Reg. 9575, effective May 5, 1987; emergency amendments at 11 Ill. Reg. 15253, effective August 28, 1987, for a maximum of 150 days; emergency expired on January 25, 1988; amended at 12 Ill. Reg. 12261, effective July 15, 1988; amended at 13 Ill. Reg. 12869, effective July 21, 1989; amended at 14 Ill. Reg. 11207, effective June 29, 1990; amended at 15 Ill. Reg. 10057, effective June 24, 1991; amended at 16 Ill. Reg. 11162, effective June 30, 1992; amended at 17 Ill. Reg. 10877, effective July 1, 1993; amended at 18 Ill. Reg. 9998, effective June 21, 1994; amended at 19 Ill. Reg. 10577, effective July 1, 1995; amended at 20 Ill. Reg. 10851, effective AUG 05 1996.

## Section 740.10 Statewide Regulations

a) Woodcock, snipe, crow and rail regulations are in accordance with Federal Regulations (50 CFR 20, effective August 26, 1990) (no incorporation in this Part includes later amendments or editions) unless the regulations in this Part are more restrictive.

b) The regulations in Section 2.33 of the Wildlife Code on illegal devices shall apply to this Part, unless federal regulations are more restrictive.

c) Woodcock

1) Season dates, daily limits and possession limits are in accordance with federal regulations.

2) Hunting hours: Sunrise to Sunset

d) Snipe (Common)

1) Season dates, bag limits and possession limits are in accordance

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

## with federal regulations.

2) Hunting hours: Sunrise to Sunset

e) Rail (Sora and Virginia)

1) Season dates, bag limits and possession limits are in accordance with federal regulations

2) Hunting hours: Sunrise to Sunset

f) Teal

1) Teal regulations are in accordance with federal regulations, (50 CFR 20.103, effective August 26, 1990; 50 CFR 20.104, effective August 26, 1990; 50 CFR 20.105, effective August 26, 1990; 50 CFR 20.106, effective August 26, 1990; and 50 CFR 20.109, effective August 26, 1990), unless the regulations in this Part are more restrictive.

2) It shall be unlawful to take, possess, transport, or use migratory waterfowl except during such period of time and in such manner and numbers as may be provided in the Federal "Migratory Bird Treaty Act" (16 U.S.C. 703-711), the "Migratory Bird Hunting Stamp Act" (16 U.S.C. 718 et seq.), and annual "Rules and Regulations for Migratory Bird Hunting" (50 CFR 20, effective August 29, 1990) (collectively referred to in this Part as federal regulations), or contrary to the Wildlife Code.

3) Hunting hours are sunrise - sunset.

g) Crow

1) Season dates: July 1 through the next following August 15, and from December 15 through the next following March 1.

2) Hunting hours are sunrise - sunset.

h) It shall be unlawful while attempting to take teal, rail or snipe to have in possession any shotgun shells not approved as non-toxic by federal regulations.

i) Registration in the U.S. Fish and Wildlife Service Migratory Bird Harvest Information Program (HIP) is required for those persons who are required to have a hunting license before taking or attempting to take woodcock, snipe, rail and teal. Instructions for registering are provided with issuance of hunting license.

(Source: Amended at 20 Ill. Reg. 10851, effective AUG 05 1996)

## Section 740.20 Regulations at Various Department-Owned or -Managed Sites

a) All the rules in 17 Ill. Adm. Code 510 apply in this Section, unless this Section is more restrictive.

b) Woodcock, snipe and rail hunting; statewide regulations as provided for in this Part shall apply at the following areas (exceptions are in parentheses):

Anderson Lake Conservation Area (closed 7 days before duck season)

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## NOTICE OF ADOPTED AMENDMENTS

Big Bend State Fish and Wildlife Area

Big River State Forest

Cache River State Natural Area

Campbell Pond Wildlife Management Area

Carlyle Lake Lands and Waters - Corps of Engineers managed lands

Carlyle Lake Wildlife Management Area (sub-impoundment area closes 7 days prior to the southern zone waterfowl season)

Crawford County Conservation Area

Dog Island Wildlife Management Area

Eldon Hazlet State Park (North of Allen Branch and west of Peppenhorst Branch only)

Ferne Clyffe State Park

Ft. de Chartres Historic Site (hunting with muzzle loading shotgun only)

Ft. Massac State Park

Giant City State Park

Hamilton County Conservation Area (statewide hours until rabbit season, then 8:00 a.m. to 4:00 p.m.)

Horseshoe Lake Conservation Area (public hunting area except controlled goose hunting area)

I-24 Wildlife Management Area

Iroquois County Wildlife Management Area (season closes the day before permit pheasant season; 4:00 p.m. daily closing; sign in/out required)

Jubilee College State Park (season coincides with Jubilee Upland season, 17 Ill. Adm. Code 530.110)

Kankakee River State Park (woodcock only; during the controlled pheasant hunting season, hunters must abide by those portions of 17 Ill. Adm. Code 530.105 and 530.110 which pertain to Kankakee River State Park)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

Kaskaskia River State Fish and Wildlife Area (Doza Creek Waterfowl Management Area closed 7 days prior to waterfowl season)

Kidd Lake State Natural Area

Kinkaid Lake Fish and Wildlife Area

Marseilles Wildlife Area (woodcock only; Monday - Thursday only through October)

Mermet Lake Fish and Wildlife Area

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26)

Mississippi River Pools 16, 17, and 18

Mississippi River Pools 21, 22 and 24

Oakford Conservation Area

Panther Creek Conservation Area

Peabody River King State Fish and Wildlife Area (West sub-unit only)

~~Pike County Conservation Area (all hunting closes November 30 in Area A; all hunting closes December 15 in Area C)~~

Pyramid State Park

Ramsey Lake State Park (statewide hours until rabbit season begins; then 8:00 a.m. - 4:00 p.m.)

Randolph County Conservation Area (woodcock only)

~~Rav Norbut State Fish and Wildlife Area (all hunting closes November 30 in Area A; all hunting closes December 15 in Area C)~~

Red Hills State Park (statewide hours until rabbit season, then 8:00 a.m. - 4:00 p.m.)

Rend Lake Project Lands and Waters

Rice Lake Wildlife Area (season open during teal season only; sunrise until 1:00 p.m.)



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

## Saline County Fish and Wildlife Area

Sam Dale Lake Conservation Area (statewide hours until rabbit season, then 8:00 a.m. to 4:00 p.m.)

Sam Parr State Park (statewide hours until rabbit season, then 8:00 a.m. to 4:00 p.m.)

Sand Ridge State Forest (During the controlled pheasant hunting season, hunters must abide by those portions of 17 Ill. Adm. Code 530.105 and 530.110 which pertain to Sand Ridge State Forest)

## Sanganois State Fish and Wildlife Area

Stephen A. Forbes State Park (statewide hours until rabbit season, then 8:00 a.m. to 4:00 p.m.)

Tapley Woods State Natural Area (closed during firearm deer season)

## Trail of Tears State Forest

## Turkey Bluffs Fish and Wildlife Area

Union County Conservation Area (Firing Line Management Area only)

Washington County Conservation Area (woodcock only)

## Weinberg-King State Park

## Wildcat Hollow State Forest

c) Woodcock, snipe and rail hunting permitted, exceptions as noted in parentheses. Hunters must obtain a permit from site office and permit must be in possession while hunting. Failure to report harvest by February 15 will result in loss of hunting privileges at that site for the following year.

## Chauncey Marsh

Clinton Lake State Recreation Area (4:00 p.m. daily closing)

Fox Ridge State Park (woodcock only; 4:00 p.m. daily closing)

Hidden Springs State Forest (4:00 p.m. daily closing)

Kickapoo State Park (woodcock only; 4:00 p.m. daily closing; closed during firearm deer season)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

Lake Shelbyville - Eagle Creek State Park (woodcock only; 4:00 p.m. daily closing)

~~Lake Shelbyville - Eagle Creek Wildlife Management Area (no snipe or ruffed-grouse; 4:00 p.m. daily closing)~~

Lake Shelbyville - Kaskaskia and West Okaw Wildlife Management Area (4:00 p.m. daily closing)

Middlefork Fish and Wildlife Area (woodcock only; 4:00 p.m. daily closing; closed during firearm deer season)

Moraine View State Park (woodcock only; 4:00 p.m. daily closing; season closes the day before site's controlled pheasant season)

Site M (hunters are restricted to the Open Unit portion of the site during the controlled pheasant season, except those hunters who possess a valid quality unit upland permit)

## Ten Mile Creek Fish and Wildlife Area

d) Teal hunting; statewide regulations as provided for in this Part shall apply on the following sites, except no permanent blinds allowed except as authorized in 17 Ill. Adm. Code 590.15, 590.20, 590.40 and 590.50 (exceptions are in parentheses):

Anderson Lake Conservation Area

Blanding Wildlife Area

Cache River State Natural Area

Campbell Pond Wildlife Management Area

Carlyle Lake Lands and Waters - Corps of Engineers managed lands (waters of Peppenhurst Branch and Allen Branch north of the buoys only)

Chain O'Lakes State Park (hunting is allowed only from numbered blind sites. The blinds need not be completed)

Carlyle Lake Wildlife Management Area

Chauncey Marsh (permit required)

Des Plaines Conservation Area (hunting is allowed only from numbered blind sites; the blinds need not be completed)

## DEPARTMENT OF NATURAL RESOURCES

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## Dog Island Wildlife Management Area

Ft. de Chartres Historic Site (hunting is allowed from anchored, portable boat blinds only; muzzleloading shotguns only)

## Horseshoe Lake State Park (Madison County)

Horseshoe Lake Conservation Area - Public Hunting Area (Alexander County)

## Kaskaskia River State Fish and Wildlife Area

## Kidd Lake State Natural Area

Lake Shelbyville - Kaskaskia and West Okaw Wildlife Management Area (site permit described in subsection 740.20(c) applies)

## Lake Shelbyville - Corps of Engineers Managed Lands and Waters

## Lake Sinnissippi Conservation Area

Marshall State Fish and Wildlife Area (Spring Branch Unit & Sparland Unit)

Mississippi River Fish and Waterfowl Management Area (Mississippi River Pools 25 and 26)

Mississippi River Pools 16, 17 and 18

Mississippi River Pools 21, 22 and 24

## Oakford Conservation Area

~~Pike-County-Conservation Area~~~~Ray Norbut Fish and Wildlife Area~~

## Rend Lake Project Lands and Waters

Rice Lake Fish and Wildlife Area (check in and check out required; sunrise until 1:00 p.m.)

## Saline County Fish and Wildlife Area

## Sanganois State Fish and Wildlife Area

## Snake Den Hollow Fish and Wildlife Area

## DEPARTMENT OF NATURAL RESOURCES

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Stephen A. Forbes State Park (walk-in hunting in the subimpoundment only)

Ten Mile Creek State Fish and Wildlife Area (permit required)

## Turkey Bluffs State Fish and Wildlife Area

Union County Conservation Area ~~Fixing-Bite-Management-Unit-only~~

## Woodford Fish and Wildlife Area

## e) Crow Hunting

1) Statewide regulations as provided for in this Part shall apply at the following sites (season dates in parentheses):

Mississippi River Pools 16, 17, 18

## Panther Creek Conservation Area

~~Pike-County-Conservation Area-(July-1--August-15)~~

~~Ray Norbut Fish and Wildlife Area~~

Sanganois State Fish and Wildlife Area (July 1 through August 15; day after goose season closes through March 1; non-toxic shot only)

2) Statewide regulations as provided for in this Part shall apply except hunting is permitted only during the second portion of the season at the following sites (season dates in parentheses):

## Anderson Lake Conservation Area

## Big Bend State Fish and Wildlife Area

## Big River State Forest

Green River State Wildlife Area (January 1 - statewide closing)

3) All hunters must make a reasonable effort to retrieve downed birds. All crows must be removed from the site by the hunter.

(Source: Amended at 20 Ill. Reg. 10851, effective AUG 05 1996)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Dove Hunting
- 2) Code Citation: 17 Ill. Adm. Code 730
- 3) Section Numbers: Adopted Action:  
730.10 Amendments  
730.20 Amendments  
730.30 Amendments
- 4) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.20 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.20 and 3.5].
- 5) Effective Date of Rulemaking: August 5, 1996
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: August 5, 1996
- 9) Notice of Proposal Published in Illinois Register: April 26, 1996, 20 Ill. Reg. 5936
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version:  
In the Main Source Note, "for a maximum of 150 days; emergency expired December 30, 1982" was added.  
In Section 730.20(I)(1)(B), "six (6)" was replaced with "6".  
In Section 730.20(I)(1)(F), "IDOC" was changed to "DNR".  
In Section 730.20(I)(2)(E), language was changed to read "first come-first served".
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No

- 15) Summary and Purpose of Rulemaking: Amendments to this Part add a requirement for licensed hunters to register in the Migratory Bird Harvest Information Program (HIP); provide for split dove season; clarify shot

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

- requirements; change name of Pike County Conservation Area to Ray Norbut State Fish and Wildlife Area and Railsplitter State Park to Edward R. Madigan State Fish and Wildlife Area.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Jack Price  
Department of Natural Resources  
524 S. Second Street, Room 430  
Springfield, IL 62701-1787  
217/782-1809

The full text of the Adopted Amendment begins on the next page:



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION  
 CHAPTER I: DEPARTMENT OF NATURAL RESOURCES CONSERVATION  
 SUBCHAPTER b: FISH AND WILDLIFE

PART 730  
 DOVE HUNTING

## Section

730.10 Statewide Regulations  
 730.20 Regulations at Various Department-Owned or -Managed Sites  
 730.30 Youth and Youth/Adult Dove Hunts at Various Department-Owned or -Managed Sites

**AUTHORITY:** Implementing and authorized by Sections 1.2, 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.20 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.20 and 3.5].

**SOURCE:** Adopted at 5 Ill. Reg. 8792, effective August 25, 1981; codified at 5 Ill. Reg. 10644; amended at 6 Ill. Reg. 9631, effective July 21, 1982; emergency amendment at 6 Ill. Reg. 10040, effective August 2, 1982, for a maximum of 150 days; emergency expired December 30, 1982; amended at 7 Ill. Reg. 10767, effective August 24, 1983; emergency amendment at 7 Ill. Reg. 10999, effective August 24, 1983, for a maximum of 150 days; amended at 8 Ill. Reg. 13680, effective July 25, 1984; amended at 9 Ill. Reg. 11601, effective July 16, 1985; emergency amendment at 9 Ill. Reg. 14025, effective September 4, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 15590, effective September 16, 1986; amended at 11 Ill. Reg. 9526, effective May 5, 1987; amended at 11 Ill. Reg. 11346, effective June 10, 1987; amended at 12 Ill. Reg. 12186, effective July 15, 1988; amended at 13 Ill. Reg. 10513, effective June 15, 1989; amended at 14 Ill. Reg. 11193, effective June 29, 1990; amended at 15 Ill. Reg. 9951, effective June 24, 1991; amended at 16 Ill. Reg. 11041, effective June 30, 1992; amended at 17 Ill. Reg. 10761, effective July 1, 1993; amended at 18 Ill. Reg. 10009, effective June 21, 1994; amended at 19 Ill. Reg. 10588, effective July 1, 1995; amended at 20 Ill. Reg. 10861, effective

AUG 05 1996

## Section 730.10 Statewide Regulations

- Dove regulations are in accordance with Federal Regulations, unless the regulations in this rule are more restrictive. (50 CFR 20.103, 1990)
- Season dates, daily limits and possession limits are in accordance with federal regulations.
- Hunting hours: Sunrise to sunset.
- Registration in the U.S. Fish and Wildlife Service Migratory Bird Harvest Information Program (HIP) is required for those persons who are required to have a hunting license before taking or attempting to take doves. Instructions for registering are provided with issuance

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## of hunting license.

(Source: Amended at 20 Ill. Reg. 10861, effective AUG 05 1996)

## Section 730.20 Regulations at Various Department-Owned or -Managed Sites

- All the regulations in 17 Ill. Adm. Code 510 - General Hunting and Trapping apply in this Section, unless this Section is more restrictive.
- General Regulations
  - Hunters shall possess only bismuth or lead shot size #7 1/2, 8, 9 or size #6 steel or smaller for taking of doves, except as noted under subsection (b)(2), and except these restrictions do not apply during the November portion of dove season.
  - Only non-toxic shot (as defined by the U.S. Fish and Wildlife Service in 50 CFR 20), #6 steel shot or #7 1/2 bismuth shot or smaller may be possessed on the following areas:
    - Anderson Lake Conservation Area
    - Banner Marsh Fish and Wildlife Area
    - Carlyle Lake Wildlife Management Area (subimpoundments only)
    - Chain O'Lakes State Park
    - Hennepin Canal Parkway State Park
    - Horseshoe Lake Conservation Area (Alexander County)
    - Kaskaskia River State Fish & Wildlife Area (designated areas)
    - Lake Shelbyville Wildlife Management Area (waterfowl management units only)
    - Peabody River King State Fish and Wildlife Area
    - Rend Lake Project Lands and Waters
    - Sanganois State Fish and Wildlife Area
    - Shabbona Lake State Park
    - Snake Den Hollow State Fish and Wildlife Area
    - Ten Mile Creek Fish & Wildlife Area (areas posted as rest

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area on the Eads Mine and Belle Rive Units)

Union County Conservation Area

Wayne Fitzgerald State Recreation Area

- 3) On areas where hunters are required to hunt from marked or staked sites, hunters must hunt within 10 feet of the marked site.
  - 4) No hunting is allowed within 100 yards of a designated dove management field except for hunters who are part of the hunter quota for that field.
  - 5) At sites indicated by (#), hunters are required to check in and/or sign out as provided for in 17 Ill. Adm. Code 510.
  - 6) At sites where additional regulations apply, they are noted in parentheses after the site name.
  - 7) Hunting hours at all sites that are open during the upland game season shall coincide with hunting hours listed for the respective sites listed in 17 Ill. Adm. Code 530.
- c) Statewide season regulations as provided for in this rule shall apply at the following sites:

Argyle Lake State Park (season opens day after Labor Day)(#)

Cache River State Natural Area (#)

Campbell Pond Wildlife Management Area (#)

Carlyle Lake Lands and Waters - Corps of Engineers managed lands (#)

Chauncey Marsh ( permit required; may be obtained at Red Hills State Park headquarters; permits must be returned by 15 February)

Dog Island Wildlife Management Area (#)

Ferne Clyffe State Park (#)

Ft. de Chartres State Historic Site (muzzleloading shotgun only) (#)

Ft. Massac State Park (#)

Kidd Lake State Natural Area (closes October 14)

Kinkaid Lake Fish and Wildlife Area (#)

Mazonia State Fish and Wildlife Area (season closes

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September 30) (#)

Mississippi River Pools 16, 17 and 18

Mississippi River Pools 21, 22, 24

Oakford Conservation Area

Panther Creek Conservation Area (#)

Rend Lake Project Lands and Waters (#)

Sand Ridge State Forest (#)

Sangamon County Conservation Area

Tapley Woods State Natural Area (#)

Ten Mile Creek State Fish and Wildlife Area (permit required; must be returned by February 15)

Trail of Tears State Forest (#)

Wildcat Hollow State Forest

- d) Statewide regulations as provided in this Part shall apply at the following sites except that hunting hours are 12 noon to 5 p.m. daily September 1-5; season closes September 30. A drawing will be held at 11 a.m. if more hunters show up than can be accommodated.

Banner Marsh Fish and Wildlife Area (#)

Heidecke-State-Fish-and-Wildlife-Area

Hennepin Canal State Park (#)

Iroquois County Wildlife Management Area (#)

Johnson Sauk Trail State Park (#)

Matthiessen State Park (#)

Mautino Fish and Wildlife Area (#)

Morrison Rockwood State Park (#)

Pyramid State Park (#)

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Sanganois State Fish and Wildlife Area

Snake Den Hollow Fish and Wildlife Area (#)

- e) Statewide regulations as provided for in this Part shall apply at the following sites, except that hunting hours are 12 noon to 5 p.m. daily September 1-5. A drawing will be held at 11 a.m. if more hunters show up than can be accommodated.

Anderson Lake Conservation Area (#)

Big Bend State Fish and Wildlife Area (#)

Big River State Forest (#)

Carlyle Lake Wildlife Management Area (#)

Chain O'Lakes State Park (closes September 5) (#)

Eldon Hazlet State Park (closes October 14) (#)

Lake Shelbyville - Kaskaskia Wildlife Management Area (Dove Management Fields Only)

Marseilles Wildlife Area (After Labor Day, site is closed on Fridays, Saturdays, and Sundays through October) (#)

Middlefork Fish and Wildlife Management Area (Dove Management Fields Only)

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26)

Peabody River King State Fish and Wildlife Area (east subunit Closes October 14) (#)

~~Pike County Conservation Area- (#)~~

Ray Norbut State Fish and Wildlife Area (#)

Turkey Bluffs State Fish and Wildlife Area (#)

Weinberg-King State Park (#)

- f) Statewide regulations as provided for in this Part shall apply at the following sites, except that hunting hours are 12 noon to 5 p.m. daily September 1-30. A drawing will be held at 11 a.m. if more hunters show up than can be accommodated.

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Lake Le Aqua Na State Park (#)

Red Hills State Park (#)

Jubilee College State Park (#)

Shabbona Lake State Park (#)

Siloam Springs State Park (#)

Wayne Fitzgerald State Recreation Area (season opens day after Labor Day) (closes October 14)

- g) Statewide regulations apply except that hunting hours are 12 noon to 5 p.m. from September 1-5; hunters must obtain a free permit from the Department; permits must be in possession while hunting on the site. Permit must be returned and harvest reported by February 15 or hunter will forfeit hunting privileges for that site for the following season.

Kickapoo State Park

Lake Shelbyville - Eagle Creek State Park (season opens day after Labor Day)

Lake Shelbyville - Eagle Creek Wildlife Management Area

Lake Shelbyville - Kaskaskia Wildlife Management Area (except Dove Management Units)

Middlefork Fish and Wildlife Area (except Dove Management Units)

- h) Sites participating in approved research project to study effects of hunting hours on dove harvest. Check in and check out to report harvest is required. A drawing will be held at 11:00 a.m. at sites that begin hunting at 12 noon and 1/2 hour before sunrise at sites that begin hunting at sunrise if more hunters show up than can be accommodated. Sites and research hunting hours are listed below:
- 1) Hunting hours are sunrise to 12 noon

Hidden Springs State ForestI-24 Wildlife Management AreaMoraine View State Park (closes October 14)Saline County Fish and Wildlife Area



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Sam Dale Fish and Wildlife Area

Stephen A. Forbes State Park

Washington County Conservation Area (closes October 14)

Fox-Ridge-State-Park

Hamilton-County-Fish-and-Wildlife-Area

Kaskaskia-River-State-Fish-and-Wildlife-Area

Lake-Shelbyville---West-Okaw-Wildlife-Management-Area

Mermet-Lake-Fish-and-Wildlife-Area

Ramsey-Lake-State-Park

Union-County-Conservation-Area-(season-closes-October-15)

2) Hunting hours are 12 noon to 5:00 p.m.

Crawford County Conservation Area

Hamilton County Fish and Wildlife Area

Horseshoe Lake Conservation Area (season closes October 14)

Kaskaskia River Fish and Wildlife Area (Boza Creek Waterfowl Management Area closes October 14)

Mermet Lake Fish and Wildlife Area

Ramsey Lake State Park

Shelbyville West Okaw Wildlife Management Area

Clinton-Lake-State-Recreation-Area

Giant-City-State-Park

Hidden-Springs-State-Forest

I-24-Wildlife-Management-Area

Mt.-Vernon-Same-Propagation-Center

Randolph-County-Conservation-Area

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Sam-Parr-Fish-and-Wildlife-Area

3) Hunting hours are sunrise to 5:00 p.m.

Clinton Lake State Recreation Area

Fox Ridge State Park

Giant City State Park

Mt. Vernon Game Propagation Center

Randolph County Conservation Area

Sam Parr Fish and Wildlife Area

Union County Conservation Area (closes October 14)

Crawford-County-Fish-and-Wildlife-Area

Horseshoe-Lake-Conservation-Area-(season-closes-October-15)

Moraine-View-State-Park

Satine-County-Fish-and-Wildlife-Area

Sam-Bate-Lake-Fish-and-Wildlife-Area

Stephen-A.-Forbes-State-Park

Washington-County-Conservation-Area

i) Permit Areas

1) Permit Season Regulations

A) Permit season dates shall be September 1-5 and hunting hours are 12 noon to 5:00 p.m. at the sites listed at the end of this subsection.

B) Permit Applications

Applicants must contact the Department to obtain a permit reservation. Starting dates and methods for making reservation will be publicly announced. Applicants making reservations will be sent confirmation. Up to six (6) reservations, but only one per applicant, may be made. Multiple reservations for the same person will not be accepted; further, persons attempting to make multiple reservations will forfeit the privilege to obtain a reservation for that season.

C) Each person may apply for only one area and receive one

## DEPARTMENT OF NATURAL RESOURCES

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permit per season. An applicant may reapply only if his previous application was unsuccessful.

- D) Hunting at these areas is by special permit only for the first five days of the season; thereafter, no permits are required for hunting these sites, except at Site M as indicated in subsection (i)(3). All permits will be issued from Springfield and not from the site, except at Site M as indicated in subsection (i)(3).
- E) Check in time for registration shall be between 9 a.m. and 11 a.m. each day. Openings after 11 a.m. will be filled by drawing for standbys if more hunters register than there are vacancies.

F) All hunters must wear a DNR an-1800 issued backpatch.

- 2) Non-Permit Season Regulations
- A) Non-permit season shall be September 6-30 except as indicated in parentheses.
- B) Non-permit hunting hours shall be 12 noon - sunset except as indicated in parentheses.
- C) No permits are required except as indicated in parentheses.
- D) Check in and check out is required except as indicated in parentheses.
- E) Hunter quotas will be filled on a first come-first served basis.
- 3) Sites

Des Plaines Conservation Area (non-permit hunting hours are 12 noon - 5 p.m.)

Edward R. Madigan State Fish and Wildlife Area

Green River State Wildlife Area/Kaecker Sand Prairie Habitat Area (non-permit hunting hours are sunrise - sunset)

Horseshoe Lake State Park (Madison County) (non-permit hunting hours are 12 noon - 5 p.m.)

Kankakee River State Park

Mackinaw Fish and Wildlife Area

Rattlesnitter State Park

Sangchris Lake State Park

Silver Springs State Park (closed during National Hunting and Fishing Day Weekend)

Site M (non-permit season closes with statewide dove season

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closing; non-permit season is governed by statewide regulations, permit required as indicated in subsection (g) above; on the Controlled Unit only those hunters engaged in the controlled pheasant hunting program may take doves during the November portion of the dove season; on the Quail Management Unit only those hunters with Quail Management Unit Permits may take doves during the November portion of the dove season) (non-permit season closes October 30; non-permit hunting hours are sunrise to sunset during non-permit season; a season-long permit is required as indicated in subsection (g); check-in and check-out are not required);

(Source: Amended at 20 Ill. Reg. 10861, effective AUG 05 1996)

**Section 730.30 Youth and Adult Dove Hunts at Various Department-Owned or -Managed Sites**

- a) A one-day Youth Dove Hunt will be held the first Saturday in September at the following sites:

Horseshoe Lake State Park (Madison County)

Ramsey Lake State Park

Sangchris Lake State Park

Silver Springs State Park

Stephen A. Forbes State Park

- b) A one-day youth/adult dove hunt will be held the first Saturday in September where both the youth and adult will be permitted to hunt at the following sites:

Kankakee River State Park

Mackinaw River State Fish and Wildlife Area

Mt. Vernon Game Farm

Sam Parr State Park

- c) Hunting hours are from 12:00 p.m. to 5:00 p.m. Check-in time is from 10:00 a.m. to 11:00 a.m.

- d) Hunter quota will be announced by public news release. Hunter quota is determined by the formula: one hunter per 10 to 40 huntable acres.

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Huntable acres are determined by, but not limited to, the biological studies on the number of the species available; the condition, topography, and configuration of the land at the site; and the number of employees available to work at the site.

e) All hunters must have a hunting permit and wear a back patch while hunting. Stand-by permits will be available at the site by lottery drawing if vacancies occur.

f) Applicants must be between the ages of 10 and 15 inclusive, with a valid Illinois hunting license.

g) Each youth must be accompanied by a supervising adult. If the hunter does not have a valid Firearm Owner's Identification (F.O.I.D.) Card, the supervising adult is required to have a F.O.I.D. Card. Only one supervising adult in a hunting party is required to have a valid F.O.I.D. Card if the hunters in the hunting party stay under the immediate control (accompany youth hunters at all times) of the supervising adult possessing the valid F.O.I.D. Card. All adult hunters must have a valid F.O.I.D. card.

h) Applicants must contact the Department to obtain a permit reservation. Starting dates and methods for making reservations will be publicly announced. Applicants making reservations will be sent confirmation. Up to six reservations, but only one per applicant, may be made. Multiple reservations for the same person will not be accepted and that person will forfeit his right to acquire a reservation for the season.

i) ~~Shot-size-to-be-used-is-7-1/2-8-or-9-lead-or-6-steel-or-smaller-~~

(Source: Amended at 20 Ill. Reg. 10861, effective

AUG 05 1996)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote and Woodchuck (Groundhog) Hunting

2) Code Citation: 17 Ill. Adm. Code 550

3) Section Numbers: Adopted Action:  
550.20 Amendments  
550.30 Amendments

4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29].

5) Effective Date of Rulemaking: August 5, 1996

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: August 5, 1996

9) Notice of Proposal Published in Illinois Register: May 3, 1996, 20 Ill. Reg. 6079

10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version: In the Section title of the text for Section 550.30, the period at the end of the title was removed.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rulemaking replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rulemaking: This Part was amended to increase the length of hunting seasons in the North and South Zones; to add two new sites in Regions I and V; to change site name in Region IV; to expand hunting opportunity on one site in Region IV.

16) Information and questions regarding these adopted amendments shall be directed to:

Jack Price  
Department of Natural Resources



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

524 S. Second Street, Room 430  
Springfield, IL 62701-1787  
217/782-1809

The full text of the Adopted Amendment begins on the next page:

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION  
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES CONSERVATION  
SUBCHAPTER b: FISH AND WILDLIFE

## PART 550

RACCOON, OPOSSUM, STRIPED SKUNK, RED FOX, GRAY FOX, COYOTE  
AND WOODCHUCK (GROUNDHOG) HUNTING

## Section

550.10 General Regulations

550.20 Statewide Regulations

550.30 Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote and  
Woodchuck (Groundhog) Hunting on Department-Owned, -Leased or -Managed  
Sites

**AUTHORITY:** Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29].

**SOURCE:** 5 Ill. Reg. 8833, effective August 25, 1981; codified at 5 Ill. Reg. 10636; emergency amendment at 5 Ill. Reg. 11593, effective October 20, 1981, for a maximum of 150 days; emergency expired March 17, 1982; amended at 6 Ill. Reg. 10714, effective August 20, 1982; amended at 7 Ill. Reg. 10782, effective August 24, 1983; amended at 7 Ill. Reg. 16098, effective November 22, 1983; amended at 8 Ill. Reg. 21593, effective October 23, 1984; amended at 9 Ill. Reg. 16204, effective October 9, 1985; emergency amendment at 9 Ill. Reg. 18151, effective November 12, 1985, for a maximum of 150 days; emergency expired April 11, 1986; amended at 10 Ill. Reg. 16649, effective September 22, 1986; amended at 11 Ill. Reg. 9540, effective May 5, 1987; amended at 12 Ill. Reg. 11730, effective June 30, 1988; amended at 13 Ill. Reg. 10598, effective June 19, 1989; amended at 14 Ill. Reg. 10798, effective June 20, 1990; amended at 15 Ill. Reg. 11598, effective August 2, 1991; amended at 16 Ill. Reg. 11078, effective June 30, 1992; amended at 17 Ill. Reg. 10795, effective July 1, 1993; amended at 18 Ill. Reg. 10090, effective June 21, 1994; amended at 19 Ill. Reg. 11787, effective August 3, 1995; amended at 20 Ill. Reg. 10814, effective AUG 05 1996.

## Section 550.20 Statewide Regulations

## a) Raccoon, Opossum

- 1) Zones: The State of Illinois is divided by U.S. Rt. 36 (New Rt. 36) into a Northern Zone and Southern Zone.
- 2) Northern Zone hunting dates: November 5 through the next following January 25, except as noted in Section 550.10(a) above.
- 3) Southern Zone hunting dates: November 10 through the next following January 30, except as noted in Section 550.10(a) above.
- 4) Hunting hours: November 5 in the Northern Zone and November 10

## DEPARTMENT OF NATURAL RESOURCES

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15 in the Southern Zone open for hunting at sunrise; during archery deer season, raccoon and opossum bow hunting hours shall coincide with the statewide archery deer hunting hours as specified in ~~7-otherwise hours are unrestricted~~. Section 2.26 of the Wildlife Code [520 ILCS 5/2.26]; otherwise, hours are unrestricted.

5) Daily limit and possession limit: None.

b) Red fox and gray fox

1) Hunting dates: November 10 15 through the next following January 31, except as noted in Section 550.10(a) above.

2) Hunting hours: Opens November 10 15 for hunting at sunrise; during archery deer season, red fox and gray fox bow hunting hours shall coincide with the statewide archery deer hunting hours; otherwise, hours are unrestricted.

3) Daily limit and possession limit: None.

c) Coyote and Striped Skunk

1) Hunting dates: Year around except as noted in Section 550.10(a) above.

2) Hunting hours: One-half hour before sunrise to sunset, except during the red fox and gray fox hunting season when statewide hunting hours are unrestricted, and except during archery deer season when coyote and striped skunk bow hunting hours shall coincide with the statewide archery deer hunting hours.

3) Daily limit and possession limit: None.

d) Woodchuck (groundhog)

1) Hunting dates: June 1 through the next following March 31, except as noted in Section 550.10(a) above.

2) Hunting hours: Sunrise to sunset.

3) Daily limit and possession limit: None.

(Source: Amended at 20 Ill. Reg. 10874, effective AUG 05 1996)

**Section 550.30 Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote and Woodchuck (Groundhog) Hunting on Department-Owned, -Leased or -Managed Sites:**

a) All the regulations in 17 Ill. Adm. Code 510-General Hunting and Trapping apply in this Section, unless this Section is more restrictive.

b) For sites where hunter quotas exist and permits are required a drawing shall be held prior to the opening of the season. The date of the drawing shall be announced by the Department by public announcement and the drawing shall be held at the site. The number of permits per site shall be determined pursuant to 17 Ill. Adm. Code 510.20.

c) .22 rimfire firearms permitted from sunset to sunrise unless otherwise specified.

d) Coyote and striped skunk season shall coincide with the statewide fox season unless otherwise specified.

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

e) No woodchuck (groundhog) hunting allowed unless otherwise specified.  
f) Statewide regulations as provided for in this rule apply at the following sites (exceptions are in parentheses):

Anderson Lake Conservation Area (all hunting to begin after the close of duck season)

Argyle Lake State Park

Banner Marsh State Fish and Wildlife Area

Big Bend State Fish and Wildlife Area

Big River State Forest

Cache River State Natural Area

Campbell Pond Wildlife Management Area

Carlyle Lake Lands and Waters - Corps of Engineers Management Lands

Carlyle Lake Wildlife Management Area (subinboundment area closed 7 days prior to and during the southern zone waterfowl season)

Dog Island Wildlife Management Area

Eldon Hazlet State Park (north of Allen Branch and west of Peppenhorst Branch)

Ferne Clyffe State Park - Cedar Draper Bluffs Hunting Area

Fort de Chartres Historic Site (muzzleloading firearms or bow and arrow only)

Horseshoe Lake Conservation Area - Alexander County (Public Hunting Area except Controlled Hunting Area)

I-24 Wildlife Management Area

Johnson Sauk Trail State Park (archery only; coyote and fox only; season shall coincide with archery deer season on this site)

Kaskaskia River State Fish and Wildlife Area (Doza Creek Waterfowl Management Area closed 7 days prior to and during duck season)

Kidd Lake State Natural Area

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

Kinkaid Lake Fish and Wildlife Area

Marseilles Wildlife Area (coyote and fox only; fox statewide season; coyote opens with fox season - February 28; hunting hours 1/2 hour before sunrise - sunset)

Marshall County Fish and Wildlife Area (raccoon, opossum only; season opens day after duck season)

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26)

Mississippi River Pools 16, 17, 18, 21, 22 and 24 (groundhog hunting allowed) (c)

Oakford Conservation Area

Panther Creek Conservation Area (statewide seasons for coyote and striped skunk)

Peabody River King State Fish and Wildlife Area (West subunit only)

Pike--County-Conservation-Area-(all-hunting-closes-November-30-in-area-A;-all-hunting-closes-December-15-in-area-C)

Randolph County Conservation Area

Ray Norbut State Fish and Wildlife Area (all hunting closes November 30 in area A; all hunting closes December 15 in area C)

Rend Lake Project Lands and Waters

Sangamon County Conservation Area

Sanganois State Fish and Wildlife Area (statewide seasons for coyote and striped skunk)

Shawnee National Forest, Oakwood Bottoms and LaRue Scatters (season closes 7 days before opening of duck season and remains closed through the duck season; at Oakwood Bottoms non-toxic shot only)

Siloam Springs State Park

Tapley Woods State Natural Area (shotguns or muzzleloading rifles only may be used from sunset - sunrise)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

Trail of Tears State Forest

Turkey Bluffs State Fish and Wildlife Area  
Washington County Conservation Area

Weinburg-King State Park (c)(d)

Wildcat Hollow State Forest

Witkovsky State Wildlife Area (coyote and fox only; season shall coincide with archery and firearm deer season at this site; archery only during the archery season at this site; coyote only during firearm deer season)

Woodford County Fish and Wildlife Area (raccoon, opossum only; season opens after duck season)

9) Statewide regulations apply except that hunters must obtain a permit from the Department; where hunter quotas exist, permits are allocated as described in 550.30(b); permits must be in possession while hunting; the permit must be returned by February 15 or hunter will forfeit hunting privileges at that site the following year (exceptions are in parentheses):

Chauncey Marsh (obtain permit at Red Hills State Park Headquarters)

Clinton Lake State Recreation Area

Crawford County Conservation Area

Fox Ridge State Park

Green River State Wildlife Area (all hunting begins on the day after upland game season; raccoons, opossum and fox close with statewide season; skunk and coyote close the last day of February)

Hamilton County Conservation Area

Hidden Springs State Forest

Iroquois County Wildlife Management Area (season opens the day after Permit Pheasant Season)

Kankakee River State Park (no rifle or handgun hunting allowed; the furbearer hunting season opens the day after the last day of



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

the site's upland hunting seasons through statewide close of respective seasons for furbearers except skunk and coyote close with fox season)

## Kickapoo State Park

Lake Shelbyville - Eagle Creek State Park (sunrise to sunset only; shotgun only)

## Lake Shelbyville - Eagle Creek Wildlife Management Area

Lake Shelbyville - Kaskaskia and West Okaw Wildlife Management Area

Lincoln Trail State Park (season opens day after second firearm deer season; closes December 20; hunting hours sunset to sunrise only; raccoon only)

## Middlefork Fish and Wildlife Management Area

## Ramsey Lake State Park

## Saline County Fish and Wildlife Area

## Sand Ridge State Forest

Sangchris Lake State Park (fox, coyote and skunk hunting only; statewide seasons for fox, coyote and stiped skunk except during waterfowl season only hunters pursuing waterfowl or upland game in accordance with site-specific regulations set forth in 17 Ill. Adm. Code 530 and 590 may take fox, coyote and skunk; shotgun only)

## Site M (statewide seasons for coyote and striped skunk)

## Stephen A. Forbes State Park

Ten Mile Creek State Fish and Wildlife Area (statewide coyote, striped skunk, and groundhog hunting allowed)

Walnut Point Fish and Wildlife Management Area (season opens day after second firearm deer season; closes December 20; hunting sunset to sunrise only; raccoon only)

(Source: Amended 10874 at 20 Ill. Reg. 10874, effective 10874 10874)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Squirrel Hunting

2) Code Citation: 17 Ill. Adm. Code 690

3) Section Numbers: 690.30  
Adopted Action:  
Amendments

4) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5].

5) Effective Date of Rulemaking: August 5, 1996

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: August 5, 1996

9) Notice of Proposal Published in Illinois Register: April 26, 1996, 20 Ill. Reg. 5956

10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version:

In the Main Source Note, "emergency expired March 12, 1982" and "emergency expired December 28, 1985" were added.

In Section 690.30(d), the following changes were made:

Chain O'Lakes, language was changed to "first come-first served" and a closing parentheses was added.

Mississippi River Pools, the comma following "18" was removed.

In Section 690.30(g), a closing parentheses was added after "headquarters".

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rulemaking replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rulemaking: This Part is being amended to open Ferne Clyffe Hunting Area and Cedar Draper Hunting Area to squirrel

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

hunting; change the name of Pike County Conservation Area to Ray Norbut State Fish and Wildlife Area; and clarify a date and address overlooked last year.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Jack Price  
Department of Natural Resources  
524 S. Second Street, Room 430  
Springfield, IL 62701-1787  
217/782-1809

The full text of the Adopted Amendment begins on the next page:

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION  
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES CONSERVATION  
SUBCHAPTER b: FISH AND WILDLIFE

PART 690  
SQUIRREL HUNTING

Section  
690.10 Hunting Seasons  
690.20 Statewide Regulations  
690.30 Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5].

SOURCE: Adopted at 5 Ill. Reg. 8017, effective July 24, 1981; codified at 5 Ill. Reg. 10642; emergency amendment at 5 Ill. Reg. 11382, effective October 14, 1981, for a maximum of 150 days; emergency expired March 12, 1982; amended at 6 Ill. Reg. 9642, effective July 21, 1982; amended at 7 Ill. Reg. 8809, effective July 15, 1983; emergency amendment at 7 Ill. Reg. 9690, effective August 1, 1983, for a maximum of 150 days; emergency expired December 29, 1983; amended at 8 Ill. Reg. 16789, effective August 30, 1984; amended at 9 Ill. Reg. 11614, effective July 16, 1985; amended at 10 Ill. Reg. 15601, effective September 16, 1986; amended at 11 Ill. Reg. 9549, effective May 5, 1987; amended at 12 Ill. Reg. 12246, effective July 15, 1988; amended at 13 Ill. Reg. 10606, effective June 15, 1989; amended at 14 Ill. Reg. 10816, effective June 20, 1990; amended at 15 Ill. Reg. 10012, effective June 24, 1991; amended at 16 Ill. Reg. 11087, effective June 30, 1992; amended at 17 Ill. Reg. 10842, effective July 1, 1993; amended at 18 Ill. Reg. 8624, effective May 31, 1994; amended at 19 Ill. Reg. 10664, effective July 1, 1995; amended at 20 Ill. Reg. 10882, effective

~~10882~~ AUG 05 1996

Section 690.30 Regulations at Various Department-Owned or -Managed Sites

- All the regulations in 17 Ill. Adm. Code 510, General Hunting and Trapping on Department-Owned or Managed Sites, apply in this Part, unless this Part is more restrictive.
- Hunting with .22 caliber rimfire firearms or muzzleloading black powder rifles is allowed at those sites listed in the following subsections that are followed by a (1).
- Check-in, check-out and reporting of harvest is required at those sites listed in the following subsections that are followed by a (2).
- Statewide regulations apply at the following sites:

Anderson Lake Conservation Area (2)

Argyle Lake State Park (2)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

Big Bend State Fish and Wildlife Area (2)

Big River State Forest (2)

Cache River State Natural Area (1)

Campbell Pond Wildlife Management Area

Carlisle Lake Lands and Waters - Corps of Engineers managed lands (1)

Carlisle Lake Wildlife Management Area (subimpoundment area closed 7 days prior to and during the southern zone waterfowl season) (1)

Chain O'Lakes State Park (opens Wednesday after permit pheasant season for 5 consecutive days, except closed on Christmas Day; 8:00 a.m. to 4:00 p.m.; daily quota filled on first come-first served first-come-first-served basis; DOC issued back patch must be worn while hunting; only shot size of No. 5 lead or No. 3 steel or smaller may be used) (2)

Crawford County Conservation Area (1) (2)

Dog Island Wildlife Management Area (1) (2)

Eldon Hazlet State Park (north of Allen Branch (2); and west of Peppenhorst Branch only)

Ferne Clyffe State Park - Cedar Draper Bluffs Hunting Area (1) (2)

Fort de Chartres Historic Site (muzzleloading firearms or bow and arrow only) (1) (2)

Fort Massac State Park (2)

I-24 Wildlife Management Area (2)

Kaskaskia River State Fish and Wildlife Area (Doza Creek Waterfowl Management Area closed 7 days prior to and during duck season) (1) (2)

Kidd Lake State Natural Area

Kinkaid Lake Fish and Wildlife Area (1)

Marseilles Fish and Wildlife Area (Monday through Thursday only)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

through October 31; during August, hunting allowed west of E. 2450 25th Road only) (2)

Marshall State Fish and Wildlife Area (2)

Mermet Lake Conservation Area (1) (2)

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26) (1)

Mississippi River Pools 16, 17, 18, 19 (1)

Mississippi River Pools 21, 22, 24 (1)

Oakford Conservation Area (1)

Panther Creek Conservation Area (1) (2)

~~Pike County Conservation Area (closes--November--30--in--Area--A; closes--December--15--in--Area--B)--(1)--(2)~~

Randolph County Conservation Area (2)

~~Ray Norbut State Fish and Wildlife Area (closes November 30 in Area A; closes December 15 in Area C) (1) (2)~~

Red Hills State Park (2)

Rend Lake Project Lands and Waters (1)

Saline County Fish and Wildlife Area (1) (2)

Sam Dale Lake Conservation Area (2)

Sam Parr State Park (2)

Sangamon County Conservation Area (1)

Sangamon State Fish and Wildlife Area (1)

Shawnee National Forest, Oakwood Bottoms (non-toxic shot only) (1)

Stephen A. Forbes State Park (2)

Tapley Woods State Natural Area (2)

Trail of Tears State Forest (1)



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

Turkey Bluffs State Fish and Wildlife Area (1) (2)

Walnut Point Fish and Wildlife Area (2)

Washington County Conservation Area (2)

Weinberg-King State Park (1) (2)

Wildcat Hollow State Forest (1)

Witkowsky State Wildlife Area (closes September 30 October-31) (2)

- e) Season dates shall be the day following Labor Day to the end of the statewide season at the following sites:

Ferne Clyffe State Park - Fern Clyffe Hunting Area (2)

Giant City State Park

Hamilton County Conservation Area (2)

Pere Marquette State Park (2)

Pyramid State Park (2)

Siloam Springs State Park (2)

- f) Season dates shall be the day after Labor Day to September 30 at the following sites:

Johnson-Sauk Trail State Park (2)

Jubilee College State Park (2)

Kankakee River State Park (2)

Silver Springs State Park (2)

Spring Lake Fish and Wildlife Area (2)

- g). Statewide regulations apply at the following sites, except that hunters must obtain a free permit from the Department and variations in season dates are in parentheses. Permits must be in possession while hunting. The permit must be returned and harvest reported by February 15 or the hunter will forfeit privileges at that site for the following year:

Chauncey Marsh (permit may be obtained at Red Hills State Park

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Headquarters (1)

Clinton Lake State Recreation Area

Fox Ridge State Park (1)

Hidden Springs State Forest (.22 rimfire firearms and muzzleloading blackpowder rifles prohibited until October 1) (1)

Kickapoo State Park (season opens day after Labor Day)

Lake Shelbyville - Eagle Creek State Park

Lake Shelbyville - Eagle Creek Wildlife Management Area (1)

Lake Shelbyville - Kaskaskia and West Okaw Wildlife Management Area (1)

Middlefork Fish and Wildlife Area (season opens day after Labor Day)

Moraine View State Park

Mt. Vernon Game Propagation Center (closes September 30)

Ramsey Lake State Park

Site M (the Quality Unit and Controlled Unit close October 31) (1)

Ten Mile Creek Fish and Wildlife Area (1)

- h) Season dates shall be statewide opening through September 30 at the following sites:

Castle Rock State Park (2)

Iroquois County Wildlife Management Area (1) (2)

Mackinaw State Fish and Wildlife Area (2)

Woodford County Fish and Wildlife Area (2)

- i) Season dates shall be statewide opening through October 31 at the following sites:

Green River State Wildlife Area (2)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

Horseshoe Lake Conservation Area (season on the controlled goose hunting area shall close October 31, remainder of the public hunting area statewide season) (1)

Sand Ridge State Forest (1) (2)

Union County Conservation Area (season on the controlled goose hunting area closes October 31; firing line unit - statewide closing) (1)

(Source: Amended at 20 Ill. Reg. **10882**, effective  
AUG 05 1996)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: The Taking of Wild Turkeys

2) Code Citation: 17 Ill. Adm. Code 720

3) Section Numbers: Adopted Action:  
 720.10 Amendments  
 720.20 Amendments  
 720.40 Amendments

4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 2.9, 2.10 and 2.11 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 2.9, 2.10 and 2.11].

5) Effective Date of Rulemaking: August 5, 1996

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: August 5, 1996

9) Notice of Proposal Published in Illinois Register: May 3, 1996, 20 Ill. Reg. 6086

10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version:

In Section 720.40, the following changes were made:

Hamilton County, "bowhunter" was changed to "archery".

Ray Norbut, the spelling of "Wildlife" was corrected.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rulemaking replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rulemaking: This Part is being amended to open 13 new counties to hunting; add Marshall State Fish and Wildlife Area; and change the name of Pike County Conservation Area to Ray Norbut State Fish and Wildlife Area.

16) Information and questions regarding these adopted amendments shall be directed to:

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

Jack Price  
Department of Natural Resources  
524 S. Second Street, Room 430  
Springfield, IL 62701-1787  
217/782-1809

The full text of the Adopted Amendment begins on the next page:

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION  
CHAPTER 1: DEPARTMENT OF NATURAL RESOURCES CONSERVATION  
SUBCHAPTER b: FISH AND WILDLIFE

## PART 720

## THE TAKING OF WILD TURKEYS - FALL ARCHERY SEASON

## Section

720.10 Hunting Seasons and Counties Open to Hunting  
720.20 Statewide Turkey Permit Requirements  
720.25 Turkey Permit Requirements - Landowner/Tenant Permits  
720.30 Turkey Hunting Regulations  
720.40 Regulations at Various Department-Owned or -Managed Sites  
720.50 Releasing or Stocking of Turkeys (Repealed)

**AUTHORITY:** Implementing and authorized by Sections 1.3, 1.4, 2.9, 2.10, and 2.11 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 2.9, 2.10 and 2.11].

**SOURCE:** Adopted and codified at 8 Ill. Reg. 7825, effective May 22, 1984; emergency amendments at 8 Ill. Reg. 20086, effective October 12, 1985, for a maximum of 150 days; emergency expired March 2, 1985; amended at 9 Ill. Reg. 14311, effective September 5, 1985; amended at 11 Ill. Reg. 9556, effective May 5, 1987; amended at 12 Ill. Reg. 12254, effective July 15, 1988; amended at 13 Ill. Reg. 12831, effective July 21, 1989; amended at 14 Ill. Reg. 12413, effective July 20, 1990; amended at 15 Ill. Reg. 11611, effective August 2, 1991; amended at 16 Ill. Reg. 11093, effective June 30, 1992; amended at 16 Ill. Reg. 15442, effective September 28, 1992; amended at 17 Ill. Reg. 281, effective December 28, 1992; amended at 17 Ill. Reg. 10850, effective July 1, 1993; amended at 18 Ill. Reg. 10104, effective June 21, 1994; amended at 19 Ill. Reg. 11799, effective August 3, 1995; amended at 20 Ill. Reg. 10890, effective AUG 05 1996.

## Section 720.10 Hunting Seasons and Counties Open to Hunting

a) Season: Statewide season October 1 through the first **second** Thursday after **in** January **10**, closed during firearm deer season, as set out in 17 Ill. Adm. Code 650.

b) Open Counties:

Adams	Marion
Alexander	Marshall
Bond	Mason
Brown	McDonough
Bureau	Menard
Calhoun	Mercer
Carroll	Monroe
Cass	Montgomery
Clark	Morgan
Clay	Ogle



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

Clinton  
Coles  
Crawford  
Cumberland  
Effingham  
Fayette  
Fulton  
Gallatin  
Greene  
Hamilton  
Hancock  
Hardin  
Henderson  
Jackson  
Jasper  
Jefferson  
Jersey  
Jo Daviess  
Johnson  
Knox  
Lawrence  
Lee  
Macoupin  
Madison

Peoria  
Perry  
Pike  
Pope  
Pulaski  
Putnam  
Randolph  
Richland  
Rock Island  
Saline  
Schuyler  
Scott  
Shelby  
St. Clair  
Stephenson  
Tazewell  
Union  
Vermilion  
Washington  
Wayne  
Whiteside  
Williamson  
Winnebago  
Woodford

(Source: Amended at 20 Ill. Reg. 10890, effective  
AUG 05 1996)

## Section 720.20 Statewide Turkey Permit Requirements

- a) To take, or attempt to take, a wild turkey, Illinois residents must first obtain a "Wild Turkey Hunting Permit" from the Department of Natural Resources ~~Conservation~~ for a fee of \$5.00. Non-resident turkey hunters shall be charged \$50.00 for wild turkey hunting permits. Applications for wild turkey permits must be mailed to:  
Department of Natural Resources ~~Conservation~~ - Fall Archery Wild Turkey Permit  
524 S. Second Street, Room 210  
P.O. Box 19446  
Springfield, Illinois 62794-9446
- b) Applicants must complete all portions of the permit application form. Incomplete applications will be rejected and fees returned. Each applicant must submit a personal check or money order for his/her individual application. Applicants submitting applications within three weeks of the season will not be guaranteed receipt of permit by start of season.
- c) Applications will be accepted beginning the first workday after July 4. All requests must be on an official application form. Permits are

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

- d) A \$3.00 service fee will be charged for replacement permits issued by the Department, except when permits are lost in the mail then there will be no charge.
- e) It shall be unlawful to:
  - 1) Submit more than one application for the same person.
  - 2) Provide false and/or deceptive information on a permit application form. In addition to criminal charges, individuals found guilty of violating this Section shall have their application rejected, permit revoked, and fees forfeited. The procedure by which an individual may appeal an application rejection, permit revocation, and the forfeiture of fees is set forth in 17 Ill. Adm. Code 2530 (Department Formal Hearings Conducted for Rulemaking and Contested Cases).

(Source: Amended at 20 Ill. Reg. 10890, effective  
AUG 05 1996)

## Section 720.40 Regulations at Various Department-Owned or -Managed Sites

Statewide regulations shall apply for the following sites, except those sites designated below by asterisk (\*) shall be open to archery turkey hunting without regard to firearm deer season. Those sites followed by (1) require hunters to check in and check out. Those sites followed by (2) require hunters to obtain a permit from the site before hunting:

\* Anderson Lake Conservation Area (1)

Argyle Lake State Park (1)

Beaver Dam State Park (2)

Big Bend State Fish and Wildlife Area (1)

Big River State Forest (1)

Cache River State Natural Area

Campbell Pond Wildlife Management Area

Carlyle Lake Lands and Waters - Corps of Engineers Managed Lands

Carlyle Lake Wildlife Management Area (subimpoundment area closed 7 days prior to and during the southern zone waterfowl season)

Castle Rock State Park (1)

Chauncey Marsh (2) (permit available at Red Hills State Park)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

Crawford County Conservation Area (1)

Dog Island Wildlife Management Area

Ferrie Clyffe State Park

Fort de Chartres Historic Site

Franklin Creek State Park (1)

Giant City State Park

Green-River--State--Wildlife-Area--(Monday-and-Tuesday-only-during-the controlled-pheasant-season)--(1)Hamilton County Conservation Area (must possess valid site archery permit) (2)

I-24 Wildlife Management Area

Kaskaskia River State Fish and Wildlife Area (except that area north of Hwy 154, east of the Kaskaskia River, and south of Risdon School Road and Beck's Landing access road)

Kickapoo State Park (2)

Kinkaid Lake Fish and Wildlife Area

Lowden-Miller State Forest (1)

Mackinaw Fish and Wildlife Area (1)

Marshall State Fish and Wildlife Area (2)Middlefork State Fish and Wildlife Area (2)

Mississippi Palisades State Park (November 1 through December 31) (2)

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26)

Mississippi River Pools 16, 17 and 18

Mississippi River Pools 21, 22 and 24

Oakford Conservation Area

Panther Creek Conservation Area

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

Pere Marquette State Park (1)

Pike--County--Conservation-Area--(all-hunting-closes-November-30-in-Area-A--all-hunting-closes-December-15-in-Area-C)

Pyramid State Park

\* Ramsey Lake State Park (2)

\* Randolph County Conservation Area

Ray Norbut State Fish and Wildlife Area (all hunting closes November 30 in Area A; all hunting closes December 15 in Area C)

\* Red Hills State Park (1)

\* Rend Lake State Fish and Wildlife Area

Saline County Conservation Area (1)

\* Sam Dale Lake Conservation Area (2)

\* Sam Parr State Park (1)

Sand Ridge State Forest (2)

Sanganois State Fish and Wildlife Area

Siloam Springs State Park

Site M (2)

\* Stephen A. Forbes State Park (2)

Tapley Woods State Natural Area (1) (1)

Ten Mile Creek Fish and Wildlife Area (2)

Trail of Tears State Forest

Turkey Bluffs State Fish and Wildlife Area

Union County Conservation Area - firing line unit - Statewide, season, Public Hunting Area October 1-25 days prior to the opening of goose season, reopens with the close of the Quota Zone goose season

Weinburg-King State Park

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

Wildlife Hollow State Forest

Wittowsky State Wildlife Area (1) (2)

(Source: Amended at 20 Ill. Reg. 10890,  
AUG 05 1996)

effective

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: The Taking of Wild Turkeys - Fall Gun Season2) Code Citation: 17 Ill. Adm. Code 715

3) Section Numbers: Adopted Action:  
 715.10 Amendments  
 715.20 Amendments  
 715.21 Amendments  
 715.25 Amendments  
 715.40 Amendments

4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.20, 2.9, 2.10 and 2.11 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.20, 2.9, 2.10 and 2.11].

5) Effective Date of Rulemaking: August 5, 19966) Does this rulemaking contain an automatic repeal date? No7) Does this rulemaking contain incorporations by reference? No8) Date Filed in Agency's Principal Office: August 5, 1996

9) Notice of Proposal Published in Illinois Register: May 3, 1996, 20 Ill. Reg. 6093

10) Has JCAR issued a Statement of Objections to these rules? No11) Difference(s) between proposal and final version:

The Source Note for Section 715.25 was changed to read "Amended".

In Section 715.40(b), language was changed to read "first come-first served".

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rulemaking replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rulemaking: This Part is being amended to open Johnson, Monroe and Whiteside counties; open two sites--Ferne Clyffe State Park and I-24 Wildlife Management Area; require that hunters apply for a site specific permit through the Permit Office for Site M; and change the name of Pike County Conservation Area to Ray Norbut State Fish and Wildlife Area.



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

- 16) Information and questions regarding these adopted amendments shall be directed to:

Jack Price  
Department of Natural Resources  
524 S. Second Street, Room 430  
Springfield, IL 62701-1787  
217/782-1809

The full text of the Adopted Amendment begins on the next page:

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION  
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES CONSERVATION  
SUBCHAPTER b: FISH AND WILDLIFE

## PART 715

## THE TAKING OF WILD TURKEYS - FALL GUN SEASON

Section	
715.10	Hunting Season, Open Counties and Permit Quotas
715.20	Statewide Turkey Permit Requirements
715.21	Turkey Permit Requirements - Special Hunts
715.25	Turkey Permit Requirements - Landowner/Tenant Permits
715.30	Turkey Hunting Regulations
715.40	Regulations at Various Department-Owned or -Managed Sites

**AUTHORITY:** Implementing and authorized by Sections 1.3, 1.4, 1.20, 2.9, 2.10 and 2.11 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.20, 2.9, 2.10 and 2.11].

**SOURCE:** Adopted at 13 Ill. Reg. 14950, effective September 6, 1989; amended at 14 Ill. Reg. 12421, effective July 20, 1990; amended at 15 Ill. Reg. 11618, effective August 2, 1991; amended at 16 Ill. Reg. 11101, effective June 30, 1992; amended at 17 Ill. Reg. 10858, effective July 1, 1993; amended at 18 Ill. Reg. 10013, effective June 21, 1994; amended at 19 Ill. Reg. 10806, effective August 3, 1995; amended at 20 Ill. Reg. 10898, effective

AUG 05 1996

## Section 715.10 Hunting Season, Open Counties and Permit Quotas

- a) Season: Nine days beginning on Saturday of the Second complete 3-day weekend (Friday, Saturday, Sunday) after October 10.  
b) Open Counties

## OPEN COUNTIES

Adams  
Alexander  
Brown  
Calhoun  
Carroll  
Cass  
Gallatin/Hardin (south of Rt. 13 only)  
Greene  
Hancock  
Henderson  
Jackson  
Jersey  
Jo Daviess  
Johnson

## DEPARTMENT OF NATURAL RESOURCES

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Macoupin  
Marion  
McDonough  
Monroe  
Pike  
Pope (north of Rt. 146 only)  
Randolph  
Saline  
Schuyler  
Scott  
Union  
Whiteside  
Williamson

- c) Permit quotas shall be set by the Department of Natural Resources Conservation on a county or special hunt area basis.

(Source: Amended at 20 Ill. Reg. 10898, effective AUG 05 1996)

## Section 715.20 Statewide Turkey Permit Requirements

- a) To take, or attempt to take, a wild turkey, Illinois residents must first obtain a "Wild Turkey Hunting Permit" from the Department of Natural Resources Conservation for a fee of \$15.00. Non-resident turkey hunters shall be charged \$75.00 for the first wild turkey hunting permit. If a second permit is obtained, the fee shall be \$25.00. Residents, except those exempted by Section 3.1 of the Wildlife Code [520 ILCS 5/3.1] are required to obtain a hunting license before hunting wild turkey. Permits are issued for a specific county or area and are valid only in the county or area designated on the permit. Applications for wild turkey permits must be mailed to:

Department of Natural Resources Conservation - Turkey

524 S. Second Street, Room 210

P.O. Box 19446

Springfield, IL 62794-9446

- b) Applicants must complete all portions of the permit application form. Incomplete applications shall be rejected and fees returned. Each applicant must submit a personal check or money order for his/her individual application. Not more than 6 applications may be submitted for group hunters. Applicants submitting applications within three weeks of the season shall not be guaranteed receipt of permit by start of season.

- c) Applications shall be accepted from residents only beginning the first Monday in July. All requests must be on an official application form. Permits are not transferable and refunds shall not be granted. Permits shall be allocated in a computerized drawing to be held in Springfield in which the first choice of county shall be allocated before the second choice is considered. Applications postmarked after

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

- the third Monday in July shall not be included in the drawing.  
d) Permits not issued during the computerized drawing shall be available in a random daily drawing beginning the third Monday in August. All hunters not receiving a permit in the computerized drawing and non-residents may apply at this time for the available permits.  
e) Any permits not issued as of the third Monday in September shall also be available in a random daily drawing to those hunters who have previously received one permit. Hunters may obtain a maximum of two permits for the fall gun season.  
f) A \$3.00 service fee shall be charged for replacement permits issued by the Department, except when permits are lost in the mail, no charge shall be made.

- g) It shall be unlawful to:

- 1) Submit applications for more than one permit for the same person; or
- 2) Provide false and/or deceptive information on a permit application form. In addition to criminal charges, individuals found guilty of violating this Section shall have their application rejected, permit revoked, and fees forfeited.

(Source: Amended at 20 Ill. Reg. 10898, effective AUG 05 1996)

## Section 715.21 Turkey Permit Requirements - Special Hunts

Special hunt sites are defined as those sites which are owned or controlled by agencies/entities other than the Department, or sites at which the Department only controls a portion of the property designated for hunting, which issue hunting permits through the Department of Natural Resources' Conservation's Permit Office. The Permit Office issues turkey hunting permits for sites listed below:

Savanna Army Depot (Jo Daviess County)

(Source: Amended at 20 Ill. Reg. 10898, effective AUG 05 1996)

## Section 715.25 Turkey Permit Requirements - Landowner/Tenant Permits

- a) The "immediate family" is defined as the spouse, children, and parents permanently residing on the same property as the landowner or tenant.
- b) A tenant for the purpose of this Part is one who rents 40 acres or more land for commercial agricultural purposes under an agreement with a landowner. Commercial agriculture shall be defined as utilization of land for the raising of hay, grain crops or livestock for profit. A hunting rights lease, or other non-agricultural lease, is not valid for a landowner or tenant permit.
- c) Resident landowners who own 40 acres or more of land, and resident tenants renting or leasing 40 acres or more of commercial agricultural

## DEPARTMENT OF NATURAL RESOURCES

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land, and members of their immediate family may apply for one free turkey permit for their property only in counties open for turkey hunting. All resident landowners/tenants that do not reside on the property must possess a valid hunting license. Nonresident Illinois landowners of 40 or more acres of land and members of their immediate family are eligible to receive a permit for their property only for a fee of \$37.50.

- d) Landowners or tenants are not required to participate in the public drawing for permits and are not counted towards the total number of permits issued for a particular county.
- e) Recipients of Landowner/Tenant permits to hunt their owned or leased property may apply for one additional county-wide permit beginning the third Monday ~~Tuesday~~ in September from any permits remaining. Fees for this additional permit shall be \$15.00 for residents and \$25.00 for nonresidents.
- f) Proof of ownership for all landowner or tenant applications must be provided by one of the following methods:
  - 1) Submittal of a copy of property deed;
  - 2) Submittal of a copy of contract for deed;
  - 3) Submittal of a copy of most recent real estate tax statement upon which landowner's name appears;
  - 4) Submittal of a copy of either an Agricultural Stabilization and Conservation Service Form 476 or Commodity Credit Corporation Form 477; or
  - 5) Submittal of a copy of a trust agreement which must indicate that the trust owns at least 40 acres and the applicant is a beneficiary of the trust.

- g) If you are applying for a tenant permit, you are required to submit, in addition to the landowner certification and proof of ownership, a copy of one of the following:

- 1) A lease (not a hunting rights lease) or rental agreement, file stamped as recorded by the county clerk, covering the current year; or
- 2) Either an Agricultural Stabilization and Conservation Service Form 476 or Commodity Credit Corporation Form 477.
- h) If the property is owned or rented by more than one person: Only one landowner (and immediate family) or one tenant (and immediate family) will be issued a permit for every 40 acres of owned or rented land. For example, if 3 persons own 90 acres, only 2 of the landowners and their immediate family may receive turkey permits.
- i) Shareholders of corporations owning 40 or more acres of land in a county may apply for one permit to hunt the corporation lands only. Only one permit per 40 acres, for a maximum number of 15 permits per county, shall be issued based on ownership of lands by corporations. Lands leased to corporations shall not be considered as a basis for a permit for the shareholders of the lessee. Lands held in trust by corporations shall not be considered as a basis for a permit by the shareholders of the trustee. If application is made for a permit

## DEPARTMENT OF NATURAL RESOURCES

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based upon lands owned by the corporation, a duly authorized officer of the corporation must sign a notarized statement authorizing the applicant to hunt on the corporate lands for which a permit is being requested. This statement must identify the applicant is a shareholder, identify authorization to hunt and identify that no more than 15 authorizations will be requested per county for the corporation lands. This document must be attached to the application upon submittal to the Permit Office. The shareholder turkey permit shall be free to resident shareholders and the cost to nonresident shareholders shall be \$37.50.

(Source: Amended at 20 Ill. Reg. 10898, effective AUG 05 1996)

## Section 715.40 Regulations at Various Department-Owned or -Managed Sites

- a) Statewide regulations shall apply for the following sites:
  - Kaskaskia River State Fish and Wildlife Area (except that area north of Hwy. 154, east of the Kaskaskia River and south of Risdon School Road and Beck's Landing access road)
  - Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26)
  - Mississippi River Pools 21, 22, 24
  - Panther Creek Conservation Area
- b) Statewide regulations shall apply except that all hunters must check in, check out, and report harvest at those sites listed below. Quotas, where listed, shall be on a first come-first served first-come--first-serve basis. Hunters shall not be allowed to sign in prior to 4 a.m. each day of the season.
  - Argyle Lake State Park
  - Big River State Forest
  - Ferne Clyffe State Park
  - Fort de Chartres Historic Site (muzzleloading shotguns only)
  - Giant City State Park
  - I-24 Wildlife Management Area
  - Kinkaid Lake Fish and Wildlife Area



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

Mississippi River Pool 18 (Henderson County only)

Pere Marquette State Park (only that portion of site south of Graham Hollow Road)

Pike-County-Conservation-Area

Ray Norbut State Fish and Wildlife Area

Saline County Conservation Area

Siloam Springs State Park

Site-M

Tapley Woods State Natural Area

Trail of Tears State Forest

Turkey Bluffs State Fish and Wildfish Area

Union County Conservation Area-Firing Line Management Unit Only

Weinburg-King State Park

Witkowsky State Wildlife Area

c) Statewide regulations shall apply except that all hunting is allowed by site-specific permit only. The Department of Natural Resources allocates permits for these areas through the lottery process set forth in Section 715.20. This permit is only valid for the specific site indicated on the permit.

Site M

(Source: Amended at 20 Ill. Reg. 10898, effective AUG 05 1996)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: White-Tailed Deer Hunting Season by Use of Handguns

2) Code Citation: 17 Ill. Adm. Code 680

3) Section Numbers: 680.10  
Adopted Action:  
Amendments

4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36].

5) Effective Date of Rulemaking: August 5, 1996

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: August 5, 1996

9) Notice of Proposal Published in Illinois Register: April 26, 1996, 20 Ill. Reg. 5963

10) Has JCARE issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version: None

12) Have all the changes agreed upon by the agency and JCARE been made as indicated in the agreement letter issued by JCARE? Yes

13) Will this rulemaking replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rulemaking: This Part was amended to change the current wording of the season to read: One-half hour before sunrise on the first Friday after January 11 to sunset on the following Sunday.

16) Information and questions regarding these adopted amendments shall be directed to:

Jack Price  
Department of Natural Resources  
524 S. Second Street, Room 430  
Springfield, Illinois 62701-1787  
217/782-1809

The full text of the Adopted Amendment begins on the next page:

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION  
 CHAPTER I: DEPARTMENT OF NATURAL RESOURCES CONSERVATION  
 SUBCHAPTER b: FISH AND WILDLIFE

## PART 680

## WHITE-TAILED DEER HUNTING SEASON BY USE OF HANDGUNS

## Section

- 680.10 Statewide Season  
 680.20 Statewide Deer Permit Requirements  
 680.30 Deer Permit Requirements - Group Hunt  
 680.40 Statewide Handgun Requirements for Deer Hunting  
 680.50 Statewide Deer Hunting Rules  
 680.60 Reporting Harvest  
 680.70 Rejection of Application/Revocation of Permits  
 680.80 Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36].

SOURCE: Adopted at 15 Ill. Reg. 13353, effective September 3, 1991; amended at 16 Ill. Reg. 15446, effective September 28, 1992; amended at 17 Ill. Reg. 18810, effective October 19, 1993; amended at 18 Ill. Reg. 15739, effective October 18, 1994; amended at 19 Ill. Reg. 15422, effective AUG 05 1996; amended at 20 Ill. Reg. 10906 effective AUG 05 1996.

## Section 680.10 Statewide Season

- a) Season: One-half hour before sunrise on the first Friday after January 11 to sunset on the following Sunday ~~of the second--9-day weekend--(Friday--Saturday--Sunday)--in-January-to-sunset-on-Sunday-of this-3-day-weekend-in-January~~. Shooting hours are one-half hour before sunrise to sunset.
- b) For the purpose of removing surplus deer, the Department of Natural Resources (Department) shall open select counties and sites to handgun deer hunting. The Department shall notify the public of the counties that are projected to have surplus deer populations via a public announcement. These counties also will be listed in the instructions contained in the current Handgun Deer Permit Application.

(Source: Amended at 20 Ill. Reg. 10906, effective AUG 05 1996)

## STATE BOARD OF EDUCATION

## NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Special Education2) Code Citation: 23 Ill. Adm. Code 226

- 3) Section Number: Adopted Action:  
 226.5 Amendment  
 226.532 Amendment  
 226.540 Amendment  
 226.560 Amendment  
 226.562 Amendment  
 226.695 Amendment  
 226.838 New Section

4) Statutory Authority: 105 ILCS 5/2-3.6 and 14-9.025) Effective Date of Rules: August 5, 19966) Does this rulemaking contain an automatic repeal date? No7) Does this rule contain incorporations by reference? The rules do not contain an incorporation by reference pursuant to Section 5-75 of the Illinois Administrative Procedure Act.8) Date Filed in Agency's Principal Office: August 1, 19969) Notice of Proposal Published in Illinois Register: May 3, 1996; 20 Ill. Reg. 6101.10) Has JCER issued a Statement of Objections to these rules? No11) Difference(s) between proposal and final version: The main source note has been amplified through the addition of the phrase "emergency expired June 24, 1986," before "amended at 10 Ill. Reg. 18743".

In Section 226.5, the first line of the definition of "Least Restrictive Environment" has been revised to state "means that, to the maximum extent appropriate..."

In Section 226.532(b), the citation has been changed to read "(see 23 Ill. Adm. Code 228.15)".

A period has been added at the end of Section 226.540(e)(1).

At the end of Section 226.540(g)(4), the semi-colon and the word "and" have been replaced with a period.

In Section 226.540(g)(5), the word "made" has been changed to "conducted".

## STATE BOARD OF EDUCATION

## NOTICE OF ADOPTED AMENDMENTS

Section 226.560(a) has been rearranged to insert the text of subsection (a)(3) as the second sentence of subsection (a). Subsection (a)(3) has been deleted.

In Section 226.560(d), the word "heritage" has been changed to "background," the phrase "in its development" has been deleted, and the citation has been changed to "(see 23 Ill. Adm. Code 228.25(c) and (d))".

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.

13) Will these amendments replace emergency amendments currently in effect?  
No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendments: The major purpose of this set of amendments is to respond to P.A. 87-995, which dealt with several aspects of service to students with native languages other than English. Among other things, this Act required the State Board of Education to develop definitions of "qualified bilingual specialists" and "linguistically and culturally appropriate individualized educational programs". The proposed amendments found mainly in Subpart I of the rules address how linguistic and cultural appropriateness is to be achieved, and proposed new Section 226.838 defines those individuals who will be considered "qualified bilingual specialists".

The present amendments also respond to two laws enacted in the 1995 legislative session. P.A. 89-397 changed the name of the Advisory Council on Education of Handicapped Children to "Advisory Council on Education of Children with Disabilities". That change is reflected where the Council is mentioned in Section 226.695. P.A. 89-425 added a required item of content to the individualized educational program (IEP) for certain students; a reference to this has been placed into Section 226.562.

Finally, phrases have been changed throughout these rules to replace references to handicaps with references to disabilities. Other technical corrections have also been made.

16) Information and questions regarding these adopted amendments shall be directed to:

Jack Shook  
Division of Program Compliance  
Illinois State Board of Education  
100 North First Street  
Springfield, Illinois 62777-0001  
217/782-5589

## STATE BOARD OF EDUCATION

## NOTICE OF ADOPTED AMENDMENTS

The full text of the adopted amendments begins on the next page:



## STATE BOARD OF EDUCATION

## NOTICE OF ADOPTED AMENDMENTS

## TITLE 23: EDUCATION AND CULTURAL RESOURCES

## SUBTITLE A: EDUCATION

## CHAPTER 1: STATE BOARD OF EDUCATION

## SUBCHAPTER F: INSTRUCTION FOR SPECIFIC STUDENT POPULATIONS

## PART 226

## SPECIAL EDUCATION

## SUBPART A: DEFINITION OF TERMS

Section  
226.5

## Terms Defined

## SUBPART B: RESPONSIBILITY FOR SPECIAL EDUCATION

Section

226.10 Cost to be Borne by Local School District  
226.20 Comprehensive Program of Special Education  
226.30 Cooperative Special Education Programs  
226.40 Rights of Children Requiring Special Education-Exclusion

## SUBPART C: THE ESTABLISHMENT AND ADMINISTRATION OF SPECIAL EDUCATION

Section

226.110 Educational Needs to be Met  
226.115 Continuum of Program Options  
226.120 Ages for Which Programs are to be Available  
226.125 Least Restrictive Environment  
226.130 Facilities for Classes for Handicapped  
226.135 Written Policies for Handicapped Students' Records  
226.140 Director of Special Education  
226.145 Supervision  
226.150 Role of Local District Administrator  
226.155 Responsibilities to Be in Writing  
226.160 Approval of Programs and Services Not in Compliance With This Part

## SUBPART D: SPECIAL EDUCATION INSTRUCTIONAL PROGRAMS AND RESOURCE PROGRAMS

Section

226.210 Design of Special Education Instructional Programs  
226.215 Curriculum for Instructional Programs  
226.220 Factors to Consider in Developing Instructional Programs  
226.225 Instructional Class Size  
226.230 Integration of Student Into Standard Program  
226.240 Special Education Resource Programs

## SUBPART E: SPECIAL EDUCATION RELATED SERVICES

## STATE BOARD OF EDUCATION

## NOTICE OF ADOPTED AMENDMENTS

Section  
226.250 Related Services to be Provided by School District  
226.260 Other Related Services  
226.270 Student Based Objectives  
226.280 Specific Objectives  
226.290 Time Spent on Behalf of Students

## SUBPART F: PREVOCATIONAL PROGRAM

Section

226.310 Provision of Prevocational Programs  
226.315 Determination of Need for Prevocational Program  
226.320 Vocational Plan  
226.325 Community Work Experiences  
226.330 Time Spent in Community Work Experiences  
226.335 Supervision of Community Work Experiences  
226.340 Coordination With Other Vocational Programs

## SUBPART G: HOME OR HOSPITAL PROGRAM

Section

226.350 Content of Home and Hospital Programs  
226.355 To Whom Provided  
226.360 Commencement  
226.365 Amount of Instruction and Related Services  
226.370 Scheduling  
226.375 Summer Instructional Service  
226.380 Conferences to Facilitate Student's Return  
226.385 Improper Use of Home and Hospital Program

## SUBPART H: STATE OPERATED OR PRIVATE PROGRAMS

Section

226.410 Referral to State or Private Facilities  
226.415 Availability of Community Resources  
226.420 Residential Placement  
226.425 District's Responsibility to Locate Alternate Programs  
226.430 Local District Responsible for Payment When Private Facility is Utilized

226.435 Annual Approval of Private Placements  
226.440 Agreement Between Local School District and Private Facility  
226.442 Supportive Data to be Maintained  
226.445 Transportation and Other Services  
226.450 Monitoring of Student Progress by School District  
226.460 Annual Transportation (Repealed)

SUBPART I: IDENTIFICATION, EVALUATION AND PLACEMENT OF EXCEPTI~~ON~~A~~B~~-CHILDREN

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## NOTICE OF ADOPTED AMENDMENTS

Section	Communication of Special Education Programs to Public	
226.505	Child Find Activities	
226.510	Case Study Evaluation Process	
226.515	Notification to Parents of Exceptional Children	
226.520	Parental Consent	
226.525	Parental Objection	
226.530	Determination of Communication Mode(s) and Cultural Background	
226.532	Case Study Evaluation Components	
226.535	Incomplete Case Study Evaluation	
226.538	Case Study to be Nondiscriminatory	
226.540	Use of Outside Study	
226.542	Independent Educational Evaluation	
226.544	Home/Hospital Services Eligibility	
226.545	Speech and Language Case Study Conclusions	
226.548	Formulation of Program and Service Options	
226.550	Characteristics Determining Eligibility for Special Education	
226.552	Determination of Recommendations for Special Education and Related Services Eligibility	
226.555	Results and Recommendations to be in Writing	
226.558	Development of IEP and Placement Decision	
226.560	IEP Content and Parental Access	
226.562	Authority of School Board to Place Students	
226.564	Completion to be in 60 School Days	
226.566	Notice to Parents Before Placement	
226.568	Parents' Response to Notice of Proposed Placement	
226.570	Parents' Objection to Proposed Placement (Repealed)	
226.572	Timeline for Placement	
226.575	Annual Review of Child Status	
226.578	Notice to Parents Regarding Evaluation	
226.580	Written Notice to Parents	
226.585	Written Notice to Parents Prior to Change in Placement	
226.590	Termination of Special Education Services	
226.595		
SUBPART J: LEVEL I AND LEVEL II DUE PROCESS HEARINGS		
Section	Request for Level I Hearing	
226.605	Information to Parents Concerning Right to Hearing	
226.610	Request for Hearing To Be Made to Superintendent (Repealed)	
226.612	Request for Hearing	
226.615	Denial of Hearing Request (Repealed)	
226.620	Qualifications of Level I Hearing Officers	
226.622	Selection of Level I Hearing Officer	
226.625	Purpose of Hearing (Repealed)	
226.630	Removal of Registered Hearing Officers (Repealed)	
226.631	Scheduling the Hearing	
226.632	Hearings Open to Public and to Child Who is Subject (Repealed)	
226.635		

## STATE BOARD OF EDUCATION

## NOTICE OF ADOPTED AMENDMENTS

226.636	Rights of the Parties Prior to the Hearing	
226.640	Hearing Concerning Any Other Controversy (Repealed)	
226.650	Local School District's Responsibility (Repealed)	
226.655	Cross-Examination (Repealed)	
226.660	Rules of Evidence Not Applicable (Repealed)	
226.665	Record of Proceedings	
226.670	Decision of Hearing Officer	
226.675	Filing of an Appeal	
226.680	Filing of Administrative Record	
226.682	Placement of the Child Pending Completion of a Level II Review	
226.684	State Level Review (Repealed)	
226.685	Oral Arguments and Extensions of Time	
226.688	Timeliness and Finality of Reviewing Officer's Decision	
226.690	Monitoring and Enforcement of Decisions; Right of Civil Action;	
226.692	Notice of Funding Ineligibility	
226.695	Reporting of Decisions	
226.698	Enforcement of State Superintendent's Decision (Repealed)	
SUBPART K: SURROGATE PARENTS		
Section	Surrogate Parents	
226.710	Contacting Parents of Child	
226.720	Appointment of Surrogate Parent	
226.730	Notice to School District Concerning Surrogate Parent	
226.740	Expenses for Surrogate Parent	
226.750	Notification that Surrogate Parent is Not Needed	
226.760	Replacement by Natural Parent	
226.770	Immunity of Surrogate Parent	
226.780		
SUBPART L: SPECIAL EDUCATION PERSONNEL		
Section	Employment of Sufficient and Trained Personnel	
226.810	Qualifications of Professional Instructional Personnel	
226.820	Qualifications of Other Professional Personnel	
226.830	Qualified Bilingual Specialists	
226.838	Qualifications of Directors and Assistant Directors	
226.840	Qualifications of Supervisory Personnel	
226.850	Qualifications of Chief Administrator	
226.860	Necessary Noncertified Personnel	
226.870	Function of Special Education Personnel	
226.880	Personnel Development Program	
226.890		
SUBPART M: SPECIAL TRANSPORTATION		
Section		

## STATE BOARD OF EDUCATION

## NOTICE OF ADOPTED AMENDMENTS

226.910 Eligibility for Transportation  
 226.920 Vehicles Used  
 226.930 Training of Personnel  
 226.935 Provision for Transportation  
 226.938 Change in Mode of Transportation  
 226.940 Scheduling of Transportation  
 226.950 Transportation and Instructional Schedule  
 226.960 Transportation to a Residential School

## SUBPART N: EVALUATION OF SPECIAL EDUCATION

Section  
 226.1010 Evaluation By State Board  
 226.1020 Bases of Evaluation  
 226.1030 Elements of State Board Evaluation  
 226.1040 Availability of State Board Evaluation  
 226.1050 Effect of Evaluation on School District

## SUBPART O: SPECIAL EDUCATION SERVICES FOR CHILDREN IN RESIDENTIAL CARE FACILITIES

Section  
 226.1110 Equal Access for Children in Residential Care Facilities  
 226.1112 Definitions from Section 14-7.03  
 226.1115 Exclusions When Implementing Section 14-7.03  
 226.1120 Enrollment in District Required  
 226.1125 Requirements for Educational Program on Site of Orphanage or Children's Home

226.1130 Approval of Special Education Program at Orphanage or Children's Home  
 226.1135 Least Restrictive Environment  
 226.1140 IEP for All Children  
 226.1145 Compliance With This Part Subject to State Board of Education Evaluation  
 226.1150 Criteria for Eligibility of Children  
 226.1155 Resident Children Eligible for All Privileges  
 226.1160 Local District Policies Applicable  
 226.1170 Communications Regarding Child's Special Education  
 226.1175 Reimbursement  
 226.1180 Possible Waiver of Sections 226.1120 and 226.1150  
 226.1185 Computation of District's Reimbursement  
 226.1190 Preapproval Application  
 226.1195 Documentation of Expenses

AUTHORITY: Implementing Article 14 and authorized by Section 2-3.6 of the School Code [105 ILCS 5/Art. 14 and 2-3.6].

SOURCE: Adopted August 12, 1976; rules repealed and new emergency rules

## STATE BOARD OF EDUCATION

## NOTICE OF ADOPTED AMENDMENTS

adopted at 2 Ill. Reg. 37, p. 29, effective September 1, 1978, for a maximum of 150 days; rules repealed and new rules adopted at 3 Ill. Reg. 5, p. 932, effective February 1, 1979; emergency amendment at 4 Ill. Reg. 38, p. 328, effective September 15, 1980, for a maximum of 150 days; amended at 5 Ill. Reg. 8021, effective July 22, 1981; amended at 6 Ill. Reg. 588, effective December 23, 1981; emergency amendment at 7 Ill. Reg. 6511, effective May 6, 1983, for a maximum of 150 days; emergency amendment at 7 Ill. Reg. 8949, effective July 15, 1983, for a maximum of 150 days; codified at 8 Ill. Reg. 6660; amended at 8 Ill. Reg. 7617, effective May 17, 1984; emergency amendment at 10 Ill. Reg. 3292, effective January 27, 1986, for a maximum of 150 days; emergency expired June 24, 1986; amended at 10 Ill. Reg. 18743, effective October 22, 1986; amended at 10 Ill. Reg. 19411, effective October 31, 1986; amended at 13 Ill. Reg. 15388, effective September 14, 1989; emergency amendment at 14 Ill. Reg. 11364, effective June 26, 1990, for a maximum of 150 days; emergency expired November 23, 1990; amended at 15 Ill. Reg. 40, effective December 24, 1990; amended at 16 Ill. Reg. 12868, effective August 10, 1992; emergency amendment at 17 Ill. Reg. 13622, effective August 3, 1993, for a maximum of 150 days; emergency expired December 31, 1993; amended at 18 Ill. Reg. 1930, effective January 24, 1994; amended at 18 Ill. Reg. 4685, effective March 11, 1994; amended at 18 Ill. Reg. 16318, effective October 25, 1994; amended at 19 Ill. Reg. 7207, effective May 10, 1995; amended at 20 Ill. Reg. 10908, effective AUG 05 1996.

## SUBPART A: DEFINITION OF TERMS

## Section 226.5 Terms Defined

"Assistive Technology Device" means any item, piece of equipment or set of related products, however acquired or modified, that is used to increase, maintain, or improve the functional capabilities of children with disabilities.

"Assistive Technology Service" means any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device. The term includes:

The evaluation of the needs of a child with a disability, including a functional evaluation of the child in the child's customary environment;

Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by children with disabilities;

Selecting, designing, fitting, customizing, adapting, applying, retaining, repairing, or replacing assistive technology devices;

Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those



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program; the projected dates for initiation of services; anticipated duration of services; appropriate objective criteria and evaluation procedures; and a schedule for annual determination of short-term objectives.

"Instructional Programs" means those activities which provide the principal elements of the exceptional child's educational development at any given time. These activities may include any or all of the following:

- evaluation of the nature of the child's educational needs
- amelioration of and compensation for visual, auditory, physical, speech or other impairments
- development of language concepts and communication skills
- educational experiences which are adjusted in content, emphasis, rate or location
- modification of social skills or emotional adjustment.

For the purpose of this Part, an instructional program shall be considered as one in which the exceptional child spends 50% or more of his/her school day.

"Language Use Pattern" means the language or combination of languages which the child uses to conceptualize and communicate those conceptualizations.

"Least Restrictive Environment" means that, to the maximum extent appropriate, handicapped children with disabilities are educated with nondisabled nonhandicapped children. Special classes, separate schooling or other removal of handicapped children from the regular educational environment occurs only when the nature or severity of the disability handicap requires that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

"Multidisciplinary Conference" means deliberation among appropriate persons for the purpose of determining eligibility for special education, developing recommendations for special education placement, reviewing educational progress, or considering the continuation or termination of special education for an individual child.

"Parent" means the natural or adoptive parent, a guardian, a person acting as a parent of a child, or surrogate parent who has been appointed by the State Board of Education.

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associated with existing education and rehabilitation plans and programs;

Training or technical assistance for a child with a disability or, if appropriate, that child's family; and

Training or technical assistance for professionals (including individuals providing education or rehabilitation services), employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of children with disabilities.

"Case Study" shall be defined as a series of in-depth multidisciplinary diagnostic procedures, conducted within an established time frame and designed to provide information about the child, the nature of the problems which are or will be affecting his/her educational development, and the type of intervention and assistance needed to alleviate these problems.

"Consent" means the parent(s):  
has been informed of all necessary information  
understands and agrees in writing to carrying out the activity for which consent is sought

understands that the granting of consent is voluntary on his or her part and may be revoked at any time.

"Continuum of Alternative Placements" means the availability of different types of educational environments, for example: regular classes, resource room classes, self-contained classes, day and residential special schools, home instruction, hospital instruction, institutional instruction, and community and other settings.

"Counseling Services" means services provided by qualified personnel such as: social workers, psychologists, guidance counselors, or other qualified personnel.

"Exceptional Children" means all children designated in Article 14 of the School Code. These children may exhibit disabilities handicapping or exceptional-characteristics ranging from very mild to very severe.

"Individualized Education Program (IEP)" means a written statement for a an-exceptional child that provides at least a statement of: the child's present levels of educational performance; annual goals and short-term instructional objectives; specific special education and related services; the extent of participation in the regular education

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"Parent Counseling and Training" means procedures utilized in assisting parents in understanding the special needs of their child and in providing parents with information about child development.

"Psychological Evaluation" means an individual evaluation of the child's functioning in the cognitive, psychomotor, social/emotional, and academic achievement or aptitude areas using appropriately validated formal and informal tests and evaluation material.

"Qualified Bilingual Specialist" means an individual who meets the certification or approval requirements described in Section 226.838 of this Part.

"Qualified Specialist" means those professional special education personnel who meet either the certification or approval requirements described in Subpart I of this Part.

"Reevaluation" means a series of diagnostic procedures which are performed in accordance with Section 226.535 of this Part for the purpose of determining a child's continued eligibility for special education.

"Referral" means a formal procedure, established by the local school district, by which a case study evaluation may be requested.

"Rehabilitation Counseling Services" means services provided by qualified personnel in individual or group sessions that focus on career development, employment preparation, achieving independence, and integration in the workplace and community of a student with a disability. The term also includes vocational rehabilitation services provided to students with disabilities by vocational rehabilitation programs funded under the Rehabilitation Act of 1973, as amended (29 U.S.C. 794).

"Related Services" means the developmental, corrective, and other supportive services which are required to assist a handicapped child with disabilities to benefit in benefitting from special education. Such services include: speech pathology and audiology, psychological services, physical and occupational therapy, recreation, early identification and assessment of disabilities in children, counseling and rehabilitation counseling services, and medical services for diagnostic or evaluation purposes. The term also includes transportation, school health services, social work services, and parent counseling and training.

"Resource Programs" means specialized educational instructional services which are provided to the child for less than 50% of his or her school day.

"School Days" means those days on which school is officially conducted during the regularly established school year. (See Section 10-19 of the School Code [105 ILCS 5/10-19].)

"School Health Services" means services provided by a qualified school nurse or other qualified persons.

"Screening" means the process of reviewing all children in a given group with a set of criteria for the purpose of identifying certain individuals for evaluations who may be in need of special education.

"Social Developmental Study" means a compilation and analysis of information concerning those life experiences of the child, both past and present, which pertain to the child's problems and/or to the possible alleviation of those problems.

"Special Education" means those instructional and resource programs and related services, unique materials, physical plant adjustments, and other special educational facilities, such as instruction in other settings, described or implied in Article 14 of the School Code which, to meet the unique needs of exceptional children with disabilities, modify, supplement, support, or are in the place of the standard educational program of the public schools. The term includes speech pathology and vocational education.

"Special Education Placement" means the provision of specified public special education services, including and limited to a special education instructional program, resource program, special education related services, speech and language services, homebound services, hospital services, referral to a nonpublic program or a state-operated facility.

"Special School" means an educational setting which is established by the local school district exclusively to meet the needs of exceptional children with disabilities.

"Special Transportation" means those transportation services which are required because of the child's disability exceptional characteristics, or the location of the special education program or related services, and which are in addition to the regular transportation services provided by the local school district.

"Standard Education Program" means the educational program generally offered by the local school district to the majority of its students.

"Staff Conference" see definition of Multidisciplinary Conference in this Section.



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individualized education program.  
(Source: Amended at 20 Ill. Reg. 10908, effective  
AUG 05 1996)

Section 226.540 Case Study to be Nondiscriminatory

Each case study evaluation shall be conducted so as to assure that it is linguistically, culturally, racially, and sexually nondiscriminatory.

a) The language(s) used to evaluate a child shall be consistent with the child's language use pattern. (See Section 226.532 of this Part. 226-535) If the language use pattern involves two or more languages or modes of communication, the child shall be evaluated by qualified specialists or, when needed, qualified bilingual specialists using each of the languages or modes of communication used by the child. The provisions of subsections (b) and (c) of this Section shall apply when a qualified bilingual specialist is needed but unavailable.

b) If documented efforts to locate and secure the services of a qualified bilingual specialist are unsuccessful, the district shall use an individual who possesses the professional credentials called for in Section 226.514 of this Part. This qualified specialist shall be assisted by a certificated school district employee or other individual who has demonstrated competencies in the language of the child. Psychological evaluation of a child shall be performed by a certificated school psychologist who has demonstrated competencies in knowledge of the language and culture of the child.

if documented efforts to locate and secure services from such a psychologist are unsuccessful, the district may employ a qualified psychologist who has demonstrated competencies in and knowledge of the language and culture of the child; this person may act as a consultant to the district's certified school psychologist performing the evaluation.

c) If documented efforts to locate and secure the district having exhausted all other alternatives and not securing the services of either a certificated school psychologist or a qualified psychologist who has demonstrated competencies in and knowledge of the language and culture of the child; the certified school psychologist regularly employed by the district a qualified bilingual specialist or a qualified specialist assisted by another individual as provided in subsection (b) of this Section are unsuccessful, the district shall conduct assessment procedures which do not depend upon language or utilize the services of an interpreter. Any special education placement resulting from such alternative procedures shall be reviewed at regular intervals until the child acquires a predominantly English language use pattern which will assure that a psychological evaluation given by a certified school psychologist will not be discriminatory or until the need for special education is substantiated.

d) Tests given to a child whose primary language is other than English

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"Surrogate Parent" means a person who acts in the educational behalf of a disabled exceptional child, in accordance with Subpart K of this Part.

"Transition Services" means a coordinated set of activities for a student, designed within an outcome-oriented process, that promotes movement from school to post-school activities, including postsecondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The plan for these must be based on the individual student's needs, preferences, and interests; address instruction, community experiences, the development of employment and other post-school adult living objectives, acquisition of daily living skills, and functional vocational evaluation; and identify the positions and agency affiliations of the persons responsible for the delivery of the services designated.

(Source: Amended at 20 Ill. Reg. 10908, effective  
AUG 05 1996)

SUBPART I: IDENTIFICATION, EVALUATION AND PLACEMENT OF BILINGUAL CHILDRN

Section 226.532 Determination of Communication Mode(s) and Cultural Background

Before a child is given a case study evaluation, the local school district shall be responsible for determining the child's language use pattern, mode of communication, and cultural background.

a) Determination of the child's language use pattern and cultural background shall be made by determining the language(s) spoken in the child's home and the language(s) used most comfortably and frequently by the child.

b) If the child has a non-English background, a determination shall be made of his or her proficiency in English. Such a determination shall be conducted in accordance with the provisions of 23 Ill. Adm. Code 228 (Bilingual Education) which specify the assessment procedures and eligibility criteria for bilingual education programs (see 23 Ill. Adm. Code 228.15).

c) Determination of the child's mode of communication shall be made by assessing the extent to which the child uses expressive language and the use he or she makes of other modes of communication (e.g., gestures, signing, unstructured sounds) as a substitute for expressive language.

d) The child's language use pattern, proficiency in English, mode of communication and cultural background shall be noted in the child's temporary student records, and this information shall be used in the case study evaluation and in the development and implementation of the



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disability, including, where appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities.

(Source: Amended at 20 Ill. Reg. 10908, effective AUG 05 1996)

## Section 226.560 Development of IEP and Placement Decision

If a multidisciplinary conference was held for the purpose of determining eligibility, an additional meeting or meetings must be held for the purpose of developing, reviewing, and/or revising the ~~exceptional~~ child's IEP and determining placement based upon the IEP. For children ages 3 to 5, an Individualized Family Service Plan (IFSP) developed pursuant to 34 CFR 303.340 et seq. may be used at the discretion of the local school district and with concurrence of the parents in lieu of development of an IEP pursuant to this Section and Section 226.562 of this Part. The meeting at which ~~a~~ an ~~exceptional~~ child's IEP is developed must be held within thirty (30) days of a determination that the child is eligible for special education and related services.

- a) Parents of a disabled ~~an exceptional~~ child must be notified of the meeting to develop, review, and revise the ~~an exceptional~~ child's IEP. The notice must indicate the purpose, time and location of the meeting, and who will be in attendance. The local school district must take steps to insure that the parents of ~~an exceptional~~ child are present at each meeting or are afforded the opportunity to participate, including:
  - 1) Notifying parents of the meeting early enough to insure that they will have an opportunity to attend; and
  - 2) Scheduling the meeting at a mutually agreed on time and place.
- 3) ~~The notice must indicate the purpose, time and location of the meeting, and who will be in attendance.~~
- b) The following participants must be included in the IEP meeting:
  - 1) A representative of the local district, other than the child's teacher, who is authorized to commit services and who is qualified to provide or supervise the provision of special education.
  - 2) The child's teacher. Teacher organization representatives may not attend without parental and district consent.
  - 3) One or both of the child's parents or guardians.
    - A) If neither parent can attend, the local district shall use other methods to insure parent participation, including individual or conference telephone calls.
    - B) A meeting may be conducted without a parent in attendance if the local district is unable to convince the parents that they should attend. In this case the local district must have a record of its attempts to arrange a mutually agreed on time and place such as:

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shall be relevant, to the maximum extent possible, to his or her culture.

e) If the child's receptive and/or expressive communication skills are impaired due to hearing and/or language deficits, the district shall utilize test instruments and procedures which do not stress spoken language and one of the following:

- 1) Visual communication techniques in addition to auditory techniques.
  - 2) An interpreter to assist the evaluative personnel with language and testing.
- f) Each local district shall insure that testing and evaluation materials and procedures used for evaluation and placement of exceptional children must be selected and administered so as not to be racially or culturally discriminatory.

g) Each local district shall insure that:

- 1) Tests and other evaluation materials:
  - A) Are provided and administered in the child's native language or other mode of communication, unless it is clearly not feasible to do so;
  - B) Have been validated for the specific purpose for which they are used; and
  - C) Are administered by trained personnel (e.g., certified school psychologists) in conformance with the instructions provided by their producer.
- 2) Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient.
- 3) When tests are administered to a child with impaired sensory, motor or communication skills, tests shall be selected and administered to ensure that the results accurately reflect the child's aptitude or achievement level rather than reflecting the child's impaired sensory, motor or communication skills except where those skills are the factors which the test(s) purports to measure.
- 4) No single procedure is used as the sole criterion for determining an appropriate education program for a child.
- 5) The evaluation is conducted ~~made by a multidisciplinary team, including at least one teacher or other specialist with knowledge in the area of the suspected disability, who shall be a qualified bilingual specialist if one is needed and available.~~ For the child suspected of having specific learning disabilities, the following additional team members must also be included: the child's regular teacher; or if the child does not have a regular teacher, a regular classroom teacher certified to teach a child of his or her age; or for a child of less than school age, an individual qualified to teach a child of his or her age.
- 6) The child is assessed in all areas related to the suspected

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- i) Detailed records of telephone calls made or attempted and the results of those calls,  
 ii) Copies of correspondence sent to the parents and any responses received, and  
 iii) Detailed records of visits made at the parent's home or place of employment and the results of those visits.

C) The local district shall provide an interpreter for parents who are deaf or whose native language is other than English, if necessary to assist them in participating in the IEP meeting.

- 4) The student child, where appropriate, except that any student who will be 14 1/2 or older during the school year must be invited, since one purpose of the IEP meeting must be to consider transition services. When the student does not attend, the local district shall take other steps to ensure that the student's preferences and interests are considered. For students who will not reach age 14 1/2 during the school year, if transition services are discussed at an IEP meeting that does not include the student, the local district is responsible for insuring that an IEP meeting to which the student is invited is conducted before a decision is made regarding transition services for that student.

5) A qualified bilingual specialist or bilingual teacher, if needed to assist the other participants in understanding the child's language, and/or such person(s) as may be needed to assist in understanding the child's culture.

6) Other individuals at the discretion of the parent or local district.

7) A representative of any other agency that is likely to be responsible for providing or paying for transition services, when a purpose of the meeting is to consider transition services. If an agency invited to send a representative does not do so, the local district shall take other steps to obtain the participation of the agency in the planning of any transition services.

- c) For an ~~exceptional~~ child who has been evaluated for the first time, the local district shall insure that a member of the evaluation team participates in the meeting or that the representative of the local district, the child's teacher, or some other person who is knowledgeable about the evaluation procedures used with the child and is familiar with the results of the evaluation, participates in the meeting, as well as an interpreter for the deaf if necessary.

d) Each IEP shall be linguistically and culturally appropriate; that is, the child's cultural background and language proficiency shall be taken into consideration consistent with the applicable provisions of the State Board of Education's rules for bilingual education (see 23 Ill. Adm. Code 228.25(c) and (d)). Recommendations for special education placement shall be based on the following, consistent with

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Section 226.550(b)(4):

- 1) The child shall be placed in the educational program which is appropriate to the student's needs and least restrictive of the student's interaction with nondisabled nonhandicapped children.  
 2) The special education placement must be based on the child's IEP, and located as close as possible to the child's home.  
 3) Unless a handicapped child's IEP requires some other arrangement, the child must be educated in the school which he or she would attend if not disabled handicapped.  
 4) Consideration must be given to any potentially harmful effect on the child, or the quality of services which he or she needs.  
 e) The proposed placement shall be consistent with the findings of the case study evaluation.

(Source: Amended at 20 Ill. Reg. 10908, effective Aug 03 1996 )

## Section 226.562 IEP Content and Parental Access

- a) The IEP shall include, but is not limited to, the following:

1) A statement of the child's present levels of educational performance.  
 2) A statement of annual goals, including short-term instructional objectives.

3) A statement of the specific special education and related services to be provided to the child, and the extent to which the child will be able to participate in regular educational programs. Related services shall not include those services provided by licensed physicians, except for their diagnostic or evaluation services and consultation to education staff; licensed dentists except for diagnosis or evaluation and consultation to education staff; physician extenders; registered or licensed practical nurses, except as they are performing the function of a school nurse; and other medical personnel involved in the provision of ongoing medical care.

4) For students who will be 14 1/2 years of age or older during the school year, and for students under age 14 1/2 when determined appropriate, a statement of any transition services needed, including a statement of each participating school district's or agency's individual and cooperative responsibilities before the student leaves the school setting. If the IEP team determines that services are not needed, the IEP must include a statement to that effect and the basis upon which the determination was made.

5) For students who may, after reaching age 18, become eligible to participate in the home-based support services program for mentally disabled adults authorized by the Developmental Disability and Mental Disability Services Act [405 ICS 80/2-1], specific plans related to that program that conform to the



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requirements of Section 14-8.02 of the School Code (see P.A. 89-425, effective June 1, 1996).

6)5) A statement of the child's ability to participate in assessments and what accommodations are necessary, if any. If the child is unable to participate even with accommodations, a description of the alternative assessment(s) to be used must also be included.

7) The language(s) or mode(s) of communication in which special education and related services will be provided, if other than or in addition to English.

8)6) The projected dates for initiation of services and the anticipated duration of the services~~and~~.

9)7) Appropriate objective criteria and evaluation procedures and schedules for determining, on at least an annual basis, whether the short-term instructional objectives are being achieved.

b) The local district shall give the parent, on request, a copy of the ~~exceptional~~ child's IEP.

c) Following the determination of the child's IEP, parents shall be afforded, on an ongoing basis, reasonable opportunity for comment on and input into their child's educational program.

(Source: Amended at 20 Ill. Reg. 10908, effective AUG 05 1996)

## SUBPART J: LEVEL I AND LEVEL II DUE PROCESS HEARINGS

## Section 226.695 Reporting of Decisions

The State Board of Education shall, after deleting all personally identifiable information, make the decisions of the reviewing officers available to the Illinois State Advisory Council on Education of Handicapped Children with Disabilities.

(Source: Amended at 20 Ill. Reg. 10908, effective AUG 05 1996)

## SUBPART L: SPECIAL EDUCATION PERSONNEL

## Section 226.838 Qualified Bilingual Specialists

Professional staff otherwise qualified pursuant to this Subpart L shall be considered "qualified bilingual specialists" if they meet the applicable requirements set forth in this Section.

a) A holder of a special certificate endorsed in the area of responsibility pursuant to 23 Ill. Adm. Code 25.40 or 25.43 shall successfully complete a language examination in the non-English language of instruction and shall have completed coursework covering:

1) Psychological/educational assessment of students with disabilities who have limited English proficiency;

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2) Theoretical foundations of bilingual education and English as a second language, including the study of first and second language acquisition; and

3) Methods and materials for teaching students of limited English proficiency or students with disabilities who have limited English proficiency.

b) A holder of an early childhood, elementary, or high school certificate who also holds special education approval in the area of responsibility shall successfully complete a language examination in the non-English language of instruction and shall have completed the coursework listed in subsections (a)(1), (2), and (3) of this Section. A holder of an early childhood, elementary, or high school certificate who also holds approval to teach bilingual education or English as a second language shall have completed coursework covering:

1) Methods for teaching in the special education area of assignment;

2) Psychological/educational assessment of students with disabilities who have limited English proficiency, or psychological diagnosis for children with all types of disabilities; and

3) Characteristics of students, or characteristics of students with limited English proficiency specifically, in the special education area of assignment.

d) A holder of a transitional bilingual certificate issued pursuant to 23 Ill. Adm. Code 25.90 and endorsed for the language of assignment shall have completed two years of successful teaching experience and have completed coursework covering:

1) Survey of children with all types of disabilities;

2) Assessment of the bilingual student, or psychological/educational assessment of the student with disabilities who has limited English proficiency;

3) Theoretical foundations of bilingual education and English as a second language, including the study of first and second language acquisition;

4) Methods for teaching in the special education area of assignment; and

5) Characteristics of students, or characteristics of students with limited English proficiency specifically, in the special education area of assignment.

e) A holder of a school service personnel certificate endorsed for guidance, school social work, or school psychology shall successfully complete an examination in the non-English language and shall have completed coursework in assessment of the bilingual student or psychological/educational assessment of the student with disabilities who has limited English proficiency.

(Source: Added at 20 Ill. Reg. 10908, effective AUG 05 1996)



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- 1) Heading of the Part: Hazardous Waste Management System: General
- 2) Code citation: 35 Ill. Adm. Code 720
- 3) Section numbers:

720.110	Adopted action:
720.111	Amended
720.120	Amended
720.123	New Section
- 4) Statutory authority: 415 ILCS 5/22.4 and 27
- 5) Effective date of amendments: August 1, 1996
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? Yes. Section 720.111 is the centralized listing of all documents incorporated by reference for the purposes of 35 Ill. Adm. Code 702, 703, 704, 705, 720, 721, 722, 723, 724, 725, 726, 728, 730, 733, 738 & 739. The present amendments update the reference to the federal testing methods of SW-846 and the versions of 40 CFR 136 referenced. They also include new incorporations for the universal waste rules. Thus, references are added to 49 CFR 171 and 173 and for the federal Food, Drug, and Cosmetic Act.
- 8) Date filed in Board's principal office: Order adopted June 20, 1996.
- 9) Notice of proposal published in Illinois Register: February 16, 1996, 20 Ill. Reg. 2651.

- 10) Has JCAR issued a Statement of Objections to these rules? No. Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] provides that Section 5 of the Administrative Procedure Act [5 ILCS 100/5-35 and 5-40] shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

- 11) Differences between proposal and final version: The following tables summarize the differences between the proposed and final versions of the amendments:

Revisions to the Text of the Proposed Amendments

Correction

Section

720.110 "destination facility" Deleted comma after "accumulated"

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- |            |   |   |
|------------|---|---|
| 720.110    | "federal, state, and local approvals or permits necessary to begin physical construction" | Added commas after "state" and before "and local" and "or local"  |
| 720.110    | "final closure"   | Placed in correct alphabetical order  |
| 720.110    | "industrial furnace"  | Added period after "as generated"   |
| 720.110    | "pesticide"   | Added "by" after "determined"; corrected spelling of "definiteness" in Board Note                       |
| 720.110    | "qualified groundwater scientist"   | Deleted Illinois Revised Statutes reference   |
| 720.111(b) |   | Added incorporations of 49 CFR 171 and 173 for the purposes of Sections 733.152 & 733.155(b)            |
| 720.120(a) |   | Corrected "35 Ill. Adm. Code . . . 268 or 273" to "35 Ill. Adm. Code . . . 728 or 733"                  |
| 720.123(b) |   | Divided further into two subsections, adding subsection heading; added "each of" before "the following" |

JCAR Revisions to the Text of the Proposed Rules That

Appeared Only in the Illinois Register Version of the Proposal

Which the Board Has Declined to Accept

- |                |   |
|----------------|---|
| <u>Section</u> | <u>Correction</u>   |
| 720.110        | "federal, state, and local approvals or permits necessary to begin physical construction" |
|                | Lower cased "state"   |

- 12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR? Section 22.4(a) of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR. Nevertheless, JCAR did review the regulations and submitted a number of suggested corrections for Board consideration. The Board reviewed the suggestions and accepted most of them. Those not accepted by the Board are indicated in the second table under item 11

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above.

13) Will these amendments replace emergency amendments currently in effect?  
No

14) Are there any other amendments pending on this Part? No

15) Summary and purpose of amendments:

A more detailed description is contained in the Board's opinion of June 20, 1996 in R95-20, which Opinion is available from the address below. Section 22.4 of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

The larger R95-20 proceeding, of which the amendments to this Part are one segment, updates 35 Ill. Adm. Code 702, 703, 720, 721, 722, 724, 725, 726, and 728 of the Board's RCRA Subtitle C rules and adds 35 Ill. Adm. Code 733 to correspond with amendments adopted by U.S. EPA that appeared in the Federal Register during the period January 1 through June 30, 1995, with the addition of actions dated July 7, September 29, and November 13, 1995 and June 5, 1996. During the routine update period of January 1 through June 30, 1995, USEPA undertook the following actions:

Federal Action

Jan. 3, 1995,  
60 Fed. Reg. 242

Technical Corrections to Phase II LDRs

Jan. 13, 1995,  
60 Fed. Reg. 3089

Update to testing and monitoring methods

Feb. 3, 1995,  
60 Fed. Reg. 6666

Response to City of Chicago v. Environmental Defense Fund decision

Feb. 7, 1995,  
60 Fed. Reg. 7366

Determination that additional regulation is necessary for cement kiln dust

Feb. 9, 1995,  
60 Fed. Reg. 7824

New hazardous waste listings for six carbamate production wastes; addition of 58 commercial chemical product wastes; exemption of certain biological treatment sludges

Apr. 4, 1995,  
60 Fed. Reg. 17001

Update to testing and monitoring methods

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Apr. 4, 1995,  
60 Fed. Reg. 17160

Update to CWA analytical methods

Apr. 17, 1995,  
60 Fed. Reg. 19165

Corrections to carbamate waste listings

May 11, 1995,  
60 Fed. Reg. 25492

Universal Waste Rule

May 12, 1995,  
60 Fed. Reg. 25619

Correction to carbamate waste listings

May 19, 1995, 26828

Postponement of effective date for tank, container, and surface impoundment air emissions rules

June 13, 1995,  
60 Fed. Reg. 31114

Delisting of hazardous waste generated in Illinois by a Pennsylvania company

June 29, 1995,  
60 Fed. Reg. 33912

Deletion of obsolete, redundant, and outdated RCRA rules

In addition to these principal amendments that occurred during the normal docket update period, the Board has included four additional, later actions that are corrections or relaxations of prior amendments in the preceding RCRA Subtitle C update docket, R95-4/R95-6:

July 7, 1995,  
60 Fed. Reg. 35452

Correction to the Subpart CC organic material emissions standards for tanks, containers and surface impoundments

September 29, 1995,  
60 Fed. Reg. 50426

Stay of Subpart CC rules as they apply to tanks, containers, and surface impoundments that contain wastes generated in the manufacture of organic peroxides

November 13, 1995,  
60 Fed. Reg. 56952

Stay of Subpart CC rules in their entirety until June 6, 1996

June 5, 1996,  
61 Fed. Reg. 28508

Stay of Subpart CC rules in their entirety until October 6, 1996

Further, the Board used this opportunity to include a number of corrective amendments to the existing regulations. These corrections are more fully described below. They are derived from comments by the Joint Committee on Administrative Rules (JCAR) and the Illinois EPA (Agency).

Finally, the Board omitted from consideration two set of federal

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amendments that occurred during the time-frame of this docket. First, on January 3, 1995, USEPA corrected errors and clarified language in the universal treatment standards adopted on September 19, 1994 as the Phase II LDRs. The Board did not include those amendments in this docket because we dealt with them in docket R95-4/R95-6, when adopting the Phase II rules. Second, on May 19, 1995, USEPA stayed implementation of the 40 CFR 264, subpart CC and 265, subpart CC (Subpart CC) regulations governing organic material emissions from tanks, containers, and surface impoundments. USEPA delayed the effective date by six months, until December 6, 1995. This delay was similarly included with the R95-4/R95-6 amendments, so there was no need for the Board to take action at this time. Further, the subsequent federal stay granted on November 13, 1995 and extended on June 5, 1996 made that initial stay of May 19 obsolete.

Specifically, the segment of the amendments involved in Part 720 are based on the federal actions of January 13, April 4 (both actions), and May 11, 1995. The amendments of January 13 and April 4 updated testing methods used under the hazardous waste management program. Those of May 11 added definitions and incorporations by reference for the purposes of the universal waste rule. The Board has further used this opportunity to make a number of minor, non-substantive amendments to the existing text of the regulations.

16) Information and questions regarding these adopted amendments shall be directed to:

Michael J. McCambridge  
Attorney  
Illinois Pollution Control Board  
100 W. Randolph, Ste. 11-500  
Chicago, IL 60601  
312/814-6924

Request copies of the Board's opinion and order of June 20, 1996 from Victoria Agyeman, at (312) 814-3620.

The full text of the adopted amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE G: WASTE DISPOSAL  
CHAPTER I: POLLUTION CONTROL BOARD  
SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

## PART 720

## HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

## SUBPART A: GENERAL PROVISIONS

Section  
720.101  
720.102  
720.103

Purpose, Scope and Applicability  
Availability of Information; Confidentiality of Information  
Use of Number and Gender

## SUBPART B: DEFINITIONS

Section  
720.110  
720.111

Definitions  
References

## SUBPART C: RULEMAKING PETITIONS AND OTHER PROCEDURES

Section  
720.120  
720.121  
720.122  
720.123  
720.130  
720.131  
720.132  
720.133  
720.140  
720.141

Rulemaking  
Alternative Equivalent Testing Methods  
Waste Delisting  
Petitions for Regulation as Universal Waste  
Procedures for Solid Waste Determinations  
Solid Waste Determinations  
Boiler Determinations  
Procedures for Determinations  
Additional regulation of certain hazardous waste Recycling Activities on a case-by-case Basis  
Procedures for case-by-case regulation of hazardous waste Recycling Activities

## APPENDIX A Overview of 40 CFR, Subtitle C Regulations

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective May 17, 1982; amended and codified in R81-22, 45 PCB 317, at 6 Ill. Reg. 4828, effective May 17, 1982; amended in R82-19 at 7 Ill. Reg. 14015, effective Oct. 12, 1983; amended in R84-9, 53 PCB 131 at 9 Ill. Reg. 11819, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 968, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 13998, effective August 12, 1986; amended in



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R86-19 at 10 Ill. Reg. 20630, effective December 2, 1986; amended in R86-28 at 11 Ill. Reg. 6017, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13435, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19280, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2450, effective January 15, 1988; amended in R87-39 at 12 Ill. Reg. 12999, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 362, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18278, effective November 13, 1989; amended in R89-2 at 14 Ill. Reg. 3075, effective February 20, 1990; amended in R89-9 at 14 Ill. Reg. 6225, effective April 16, 1990; amended in R90-10 at 14 Ill. Reg. 15450, effective September 25, 1990; amended in R90-17 at 15 Ill. Reg. 7934, effective May 9, 1991; amended in R90-11 at 15 Ill. Reg. 9323, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14446, effective September 30, 1991; amended in R91-13 at 16 Ill. Reg. 9489, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17636, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5825, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20545, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6720, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12160, effective July 29, 1994; amended in R94-17 at 18 Ill. Reg. 17480, effective November 23, 1994; amended in R95-6 at 19 Ill. Reg. 9508, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. **10929**, effective **AUG 01 1996**.

## SUBPART B: DEFINITIONS

## Section 720.110 Definitions

When used in 35 Ill. Adm. Code 720 through 726 and 728 only, the following terms have the meanings given below:

"Aboveground tank" means a device meeting the definition of "tank" that is situated in such a way that the entire surface area of the tank is completely above the plane of the adjacent surrounding surface and the entire surface area of the tank (including the tank bottom) is able to be visually inspected.

"Act" or "RCRA" means the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6901 et seq.)

"Active life" of a facility means the period from the initial receipt of hazardous waste at the facility until the Agency receives certification of final closure.

"Active portion" means that portion of a facility where treatment, storage or disposal operations are being or have been conducted after May 19, 1980, and which is not a closed portion. (See also "closed portion" and "inactive portion".)

"Administrator" means the Administrator of the U.S. Environmental

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Protection Agency or the Administrator's designee.

"Agency" means the Illinois Environmental Protection Agency.

"Ancillary equipment" means any device including, but not limited to, such devices as piping, fittings, flanges, valves and pumps, that is used to distribute, meter or control the flow of hazardous waste from its point of generation to storage or treatment tank(s), between hazardous waste storage and treatment tanks to a point of disposal onsite, or to a point of shipment for disposal off-site.

"Aquifer" means a geologic formation, group of formations or part of a formation capable of yielding a significant amount of groundwater to wells or springs.

"Authorized representative" means the person responsible for the overall operation of a facility or an operational unit (i.e., part of a facility), e.g., the plant manager, superintendent or person of equivalent responsibility.

"Battery" means a device consisting of one or more electrically connected electrochemical cells that is designed to receiver, store, and deliver electric energy. An electrochemical cell is a system consisting of an anode, cathode, and an electrolyte, plus such connections (electrical and mechanical) as may be needed to allow the cell to deliver or receive electrical energy. The term battery also includes an intact, unbroken battery from which the electrolyte has been removed.

"Board" means the Illinois Pollution Control Board.

"Boiler" means an enclosed device using controlled flame combustion and having the following characteristics:

The unit must have physical provisions for recovering and exporting thermal energy in the form of steam, heated fluids or heated gases; and the unit's combustion chamber and primary energy recovery Section(s) must be of integral design. To be of integral design, the combustion chamber and the primary energy recovery Section(s) (such as waterwalls and superheaters) must be physically formed into one manufactured or assembled unit. A unit in which the combustion chamber and the primary energy recovery Section(s) are joined only by ducts or connections carrying flue gas is not integrally designed; however, secondary energy recovery equipment (such as economizers or air preheaters) need not be physically formed into the same unit as the combustion chamber and the primary energy recovery Section.

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The following units are not precluded from being boilers solely because they are not of integral design: process heaters (units that transfer energy directly to a process stream), and fluidized bed combustion units; and

While in operation, the unit must maintain a thermal energy recovery efficiency of at least 60 percent, calculated in terms of the recovered energy compared with the thermal value of the fuel; and

The unit must export and utilize at least 75 percent of the recovered energy, calculated on an annual basis. In this calculation, no credit shall be given for recovered heat used internally in the same unit. (Examples of internal use are the preheating of fuel or combustion air, and the driving of induced or forced draft fans or feedwater pumps); or

The unit is one which the Board has determined, on a case-by-case basis, to be a boiler, after considering the standards in Section 720.132.

"Carbon regeneration unit" means any enclosed thermal treatment device used to regenerate spent activated carbon.

"Certification" means a statement of professional opinion based upon knowledge and belief.

"Closed Portion" means that portion of a facility which an owner or operator has closed in accordance with the approved facility closure plan and all applicable closure requirements. (See also "active portion" and "inactive portion".)

"Component" means either the tank or ancillary equipment of a tank system.

"Confined aquifer" means an aquifer bounded above and below by impermeable beds or by beds of distinctly lower permeability than that of the aquifer itself; an aquifer containing confined groundwater.

"Container" means any portable device in which a material is stored, transported, treated, disposed of or otherwise handled.

"Containment Building" means a hazardous waste management unit that is used to store or treat hazardous waste under the provisions of 35 Ill. Adm. Code 724.Subpart DD and 35 Ill. Adm. Code 725.Subpart DD.

"Contingency plan" means a document setting out an organized, planned and coordinated course of action to be followed in case of a fire,

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explosion or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment.

"Corrective action management unit" or "CAMU" means an area within a facility that is designated by the Agency under 35 Ill. Adm. Code 724.Subpart S for the purpose of implementing corrective action requirements under 35 Ill. Adm. Code 724.201 and RCRA section 3008(h). A CAMU shall only be used for the management of remediation wastes pursuant to implementing such corrective action requirements at the facility.

BOARD NOTE: USEPA W-9--BPA must also designate a CAMU until it grants this authority to the Agency. See the note following 35 Ill. Adm. Code 724.652.

"Corrosion expert" means a person who, by reason of knowledge of the physical sciences and the principles of engineering and mathematics, acquired by a professional education and related practical experience, is qualified to engage in the practice of corrosion control on buried or submerged metal piping systems and metal tanks. Such a person must be certified as being qualified by the National Association of Corrosion Engineers (NACE) or be a registered professional engineer who has certification or licensing that includes education and experience in corrosion control on buried or submerged metal piping systems and metal tanks.

"Designated facility" means a hazardous waste treatment, storage or disposal facility,

Which:

Has received a RCRA permit (or interim status) pursuant to 35 Ill. Adm. Code 702, 703 and 705;

Has received a RCRA permit from USEPA W-9--BPA pursuant to 40 CFR 124 and 270 (1992);

Has received a RCRA permit from a state authorized by USEPA W-9--BPA pursuant to 40 CFR 271 (1992); or

Is regulated under 35 Ill. Adm. Code 721.106(c)(2) or 266.Subpart F; and

Which has been designated on the manifest by the generator pursuant to 35 Ill. Adm. Code 722.120.

If a waste is destined to a facility in a state, other than Illinois, which has been authorized by USEPA W-9--BPA pursuant to 40 CFR 271, but which has not yet obtained authorization to

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regulate that waste as hazardous, then the designated facility must be a facility allowed by the receiving state to accept such waste.

"Destination facility" means a facility that treats, disposes of, or recycles a particular category of universal waste, except those management activities described in 35 Ill. Adm. Code 733.113(a) and (c) and 733.133(a) and (c). A facility at which a particular category of universal waste is only accumulated is not a destination facility for the purposes of managing that category of universal waste.

"Dike" means an embankment or ridge of either natural or manmade materials used to prevent the movement of liquids, sludges, solids or other materials.

"Director" means the Director of the Illinois Environmental Protection Agency.

"Discharge" or "hazardous waste discharge" means the accidental or intentional spilling, leaking, pumping, pouring, emitting, emptying or dumping of hazardous waste into or on any land or water.

"Disposal" means the discharge, deposit, injection, dumping, spilling, leaking or placing of any solid waste or hazardous waste into or on any land or water so that such solid waste or hazardous waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.

"Disposal facility" means a facility or part of a facility at which hazardous waste is intentionally placed into or on any land or water and at which waste will remain after closure. The term disposal facility does not include a corrective action management unit (CAMU) into which remediation wastes are placed.

"Drip pad" means an engineered structure consisting of a curbed, free-draining base, constructed of non-earthen materials and designed to convey preservative kick-back or drippage from treated wood, precipitation and surface water run-on to an associated collection system at wood preserving plants.

"Elementary neutralization unit" means a device which:

Is used for neutralizing wastes which are hazardous only because they exhibit the corrosivity characteristic defined in 35 Ill. Adm. Code 721.122 or are listed in 35 Ill. Adm. Code 721.Subpart D only for this reason; and

Meets the definition of tank, tank system, container, transport

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vehicle or vessel in this Section.

"EPA" or "U.S. EPA" or "USEPA" means--United--States--Environmental Protection Agency--

"EPA hazardous waste number" or "USEPA U.S. EPA hazardous waste number" or "USEPA hazardous waste number" means the number assigned by EPA to each hazardous waste listed in 35 Ill. Adm. Code 721.Subpart D and to each characteristic identified in 35 Ill. Adm. Code 721.Subpart C.

"EPA identification number" or "USEPA U.S. EPA identification number" or "USEPA identification number" means the number assigned by USEPA U.S. EPA pursuant to 35 Ill. Adm. Code 722 through 725 to each generator, transporter and treatment, storage or disposal facility.

"EPA region" means the states and territories found in any one of the following ten regions:

Region I: Maine, Vermont, New Hampshire, Massachusetts, Connecticut and Rhode Island

Region II: New York, New Jersey, Commonwealth of Puerto Rico and the U.S. Virgin Islands

Region III: Pennsylvania, Delaware, Maryland, West Virginia, Virginia and the District of Columbia

Region IV: Kentucky, Tennessee, North Carolina, Mississippi, Alabama, Georgia, South Carolina and Florida

Region V: Minnesota, Wisconsin, Illinois, Michigan, Indiana and Ohio

Region VI: New Mexico, Oklahoma, Arkansas, Louisiana and Texas

Region VII: Nebraska, Kansas, Missouri and Iowa

Region VIII: Montana, Wyoming, North Dakota, South Dakota, Utah and Colorado

Region IX: California, Nevada, Arizona, Hawaii, Guam, American Samoa and Commonwealth of the Northern Mariana Islands

Region X: Washington, Oregon, Idaho and Alaska

"Equivalent method" means any testing or analytical method approved by the Board pursuant to Section 720.120.



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"Existing hazardous waste management (HWM) facility" or "existing facility" means a facility which was in operation or for which construction commenced on or before November 19, 1980. A facility had commenced construction if the owner or operator had obtained the federal, state and local approvals or permits necessary to begin physical construction and either:

A continuous on-site, physical construction program had begun or

The owner or operator had entered into contractual obligations -- which could not be cancelled or modified without substantial loss -- for physical construction of the facility to be completed within a reasonable time.

"Existing portion" means that land surface area of an existing waste management unit, included in the original Part A permit application, on which wastes have been placed prior to the issuance of a permit.

"Existing tank system" or "existing component" means a tank system or component that is used for the storage or treatment of hazardous waste and that is in operation, or for which installation has commenced on or prior to July 14, 1986. Installation will be considered to have commenced if the owner or operator has obtained all federal, State and local approvals or permits necessary to begin physical construction of the site or installation of the tank system and if either:

A continuous on-site physical construction or installation program has begun; or

The owner or operator has entered into contractual obligations -- which cannot be canceled or modified without substantial loss -- for physical construction of the site or installation of the tank system to be completed within a reasonable time.

"Facility" means:

All contiguous land and structures, other appurtenances, and improvements on the land used for treating, storing, or disposing of hazardous waste. A facility may consist of several treatment, storage, or disposal operational units (e.g., one or more landfills, surface impoundments, or combinations of them).

For the purpose of implementing corrective action under 35 Ill. Adm. Code 724.201, all contiguous property under the control of the owner or operator seeking a permit under Subtitle C of RCRA. This definition also applies to facilities implementing corrective action under RCRA Section 3008(h).

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"Final closure" means the closure of all hazardous waste management units at the facility in accordance with all applicable closure requirements so that hazardous waste management activities under 35 Ill. Adm. Code 724 and 725 are no longer conducted at the facility unless subject to the provisions of 35 Ill. Adm. Code 722.134.

"Federal agency" means any department, agency or other instrumentality of the federal government, any independent agency or establishment of the federal government including any government corporation and the Government Printing Office.

"Federal, state, and local approvals or permits necessary to begin physical construction" means permits and approvals required under federal, state, or local hazardous waste control statutes, regulations or ordinances.

"Final closure" means the closure of all hazardous waste management units at the facility in accordance with all applicable closure requirements so that hazardous waste management activities under 35 Ill. Adm. Code 724 and 725 are no longer conducted at the facility unless subject to the provisions of 35 Ill. Adm. Code 722.134.

"Food-chain crops" means tobacco, crops grown for human consumption and crops grown for feed for animals whose products are consumed by humans.

"Freeboard" means the vertical distance between the top of a tank or surface impoundment dike and the surface of the waste contained therein.

"Free liquids" means liquids which readily separate from the solid portion of a waste under ambient temperature and pressure.

"Generator" means any person, by site, whose act or process produce hazardous waste identified or listed in 35 Ill. Adm. Code 721 or whose act first causes a hazardous waste to become subject to regulation.

"Groundwater" means water below the land surface in a zone of saturation.

"Hazardous waste" means a hazardous waste as defined in 35 Ill. Adm. Code 721.103.

"Hazardous waste constituent" means a constituent which caused the hazardous waste to be listed in 35 Ill. Adm. Code 721. Subpart D, or a constituent listed in 35 Ill. Adm. Code 721.124.

"Hazardous waste management unit" is a contiguous area of land on or

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in which hazardous waste is placed, or the largest area in which there is significant likelihood of mixing hazardous waste constituents in the same area. Examples of hazardous waste management units include a surface impoundment, a waste pile, a land treatment area, a landfill cell, an incinerator, a tank and its associated piping and underlying containment system and a container storage area. A container alone does not constitute a unit; the unit includes containers and the land or pad upon which they are placed.

"Inactive portion" means that portion of a facility which is not operated after November 19, 1980. (See also "active portion" and "closed portion".)

"Incinerator" means any enclosed device that:

Uses controlled flame combustion and neither:

Meets the criteria for classification as a boiler, sludge dryer or carbon regeneration unit, nor

Is listed as an industrial furnace; or

Meets the definition of infrared incinerator or plasma arc incinerator.

"Incompatible waste" means a hazardous waste which is suitable for:

Placement in a particular device or facility because it may cause corrosion or decay of containment materials (e.g., container inner liners or tank walls); or

Commingleing with another waste or material under uncontrolled conditions because the commingling might produce heat or pressure, fire or explosion, violent reaction, toxic dusts, mists, fumes or gases or flammable fumes or gases.

(See 35 Ill. Adm. Code 725. Appendix E for examples.)

"Industrial furnace" means any of the following enclosed devices that are integral components of manufacturing processes and that use thermal treatment to accomplish recovery of materials or energy:

Cement kilns

Lime kilns

Aggregate kilns

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Phosphate kilns

Coke ovens

Blast furnaces

Smelting, melting and refining furnaces (including pyrometallurgical devices such as cupolas, reverberator furnaces, sintering machines, roasters and foundry furnaces)

Titanium dioxide chloride process oxidation reactors

Methane reforming furnaces

Pulping liquor recovery furnaces

Combustion devices used in the recovery of sulfur values from spent sulfuric acid

Halogen acid furnaces (HAFs) for the production of acid from halogenated hazardous waste generated by chemical production facilities where the furnace is located on the site of a chemical production facility, the acid product has a halogen acid content of at least 3%, the acid product is used in a manufacturing process and, except for hazardous waste burned as fuel, hazardous waste fed to the furnace has a minimum halogen content of 20%, as generated.

Any other such device as the Agency determines to be an "Industrial Furnace" on the basis of one or more of the following factors:

The design and use of the device primarily to accomplish recovery of material products;

The use of the device to burn or reduce raw materials to make a material product;

The use of the device to burn or reduce secondary materials as effective substitutes for raw materials, in processes using raw materials as principal feedstocks;

The use of the device to burn or reduce secondary materials as ingredients in an industrial process to make a material product;

The use of the device in common industrial practice to produce a material product; and

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## Other relevant factors.

"Individual generation site" means the contiguous site at or on which one or more hazardous wastes are generated. An individual generation site, such as a large manufacturing plant, may have one or more sources of hazardous waste but is considered a single or individual generation site if the site or property is contiguous.

"Infrared incinerator" means any enclosed device which uses electric powered resistance heaters as a source of radiant heat followed by an afterburner using controlled flame combustion and which is not listed as an industrial furnace.

"Inground tank" means a device meeting the definition of "tank" whereby a portion of the tank wall is situated to any degree within the ground, thereby preventing visual inspection of that external surface area of the tank that is in the ground.

"In operation" refers to a facility which is treating, storing or disposing of hazardous waste.

"Injection well" means a well into which fluids are being injected. (See also "underground injection".)

"Inner liner" means a continuous layer of material placed inside a tank or container which protects the construction materials of the tank or container from the contained waste or reagents used to treat the waste.

"Installation inspector" means a person who, by reason of knowledge of the physical sciences and the principles of engineering, acquired by a professional education and related practical experience, is qualified to supervise the installation of tank systems.

"International shipment" means the transportation of hazardous waste into or out of the jurisdiction of the United States.

"Land treatment facility" means a facility or part of a facility at which hazardous waste is applied onto or incorporated into the soil surface; such facilities are disposal facilities if the waste will remain after closure.

"Landfill" means a disposal facility or part of a facility where hazardous waste is placed in or on land and which is not a pile, a land treatment facility, a surface impoundment, an underground injection well, a salt dome formation, a salt bed formation, an underground mine, a cave, or corrective action management unit (CAMU).

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"Landfill cell" means a discrete volume of a hazardous waste landfill which uses a liner to provide isolation of wastes from adjacent cells or wastes. Examples of landfill cells are trenches and pits.

"LDS" means leak detection system.

"Leachate" means any liquid, including any suspended components in the liquid, that has percolated through or drained from hazardous waste.

"Liner" means a continuous layer of natural or manmade materials beneath or on the sides of a surface impoundment, landfill or landfill cell, which restricts the downward or lateral escape of hazardous waste, hazardous waste constituents or leachate.

"Leak-detection system" means a system capable of detecting the failure of either the primary or secondary containment structure or the presence of a release of hazardous waste or accumulated liquid in the secondary containment structure. Such a system must employ operational controls (e.g., daily visual inspections for releases into the secondary containment system of aboveground tanks) or consist of an interstitial monitoring device designed to detect continuously and automatically the failure of the primary or secondary containment structure or the presence of a release of hazardous waste into the secondary containment structure.

"Management" or "hazardous waste management" means the systematic control of the collection, source separation, storage, transportation, processing, treatment, recovery and disposal of hazardous waste.

"Manifest" means the shipping document originated and signed by the generator which contains the information required by 35 Ill. Adm. Code 722.Subpart B.

"Manifest document number" means the USEPA 8-5--BPA twelve digit identification number assigned to the generator plus a unique five digit document number assigned to the manifest by the generator for recording and reporting purposes.

"Mining overburden returned to the mine site" means any material overlying an economic mineral deposit which is removed to gain access to that deposit and is then used for reclamation of a surface mine.

"Miscellaneous unit" means a hazardous waste management unit where hazardous waste is treated, stored or disposed of and which is not a container, tank, tank system, surface impoundment, pile, land treatment unit, landfill, incinerator, boiler, industrial furnace, underground injection well with appropriate technical standards under 35 Ill. Adm. Code 730, containment building, corrective action



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management unit (CAMU), or a unit eligible for a research, development and demonstration permit under 35 Ill. Adm. Code 703.231.

"Movement" means that hazardous waste transported to a facility in an individual vehicle.

"New hazardous waste management facility" or "new facility" means a facility which began operation, or for which construction commenced, after November 19, 1980. (See also "Existing hazardous waste management facility".)

"New tank system" or "new tank component" means a tank system or component that will be used for the storage or treatment of hazardous waste and for which installation commenced after July 14, 1986; except, however, for purposes of 35 Ill. Adm. Code 724.293(g)(2) and 725.293(g)(2), a new tank system is one for which construction commences after July 14, 1986. (See also "existing tank system".)

"Onground tank" means a device meeting the definition of "tank" that is situated in such a way that the bottom of the tank is on the same level as the adjacent surrounding surfaces so that the external tank bottom cannot be visually inspected.

"On-site" means the same or geographically contiguous property which may be divided by public or private right-of-way, provided the entrance and exit between the properties is at a crossroads intersection and access is by crossing as opposed to going along the right-of-way. Noncontiguous properties owned by the same person but connected by a right-of-way which he controls and to which the public does not have access is also considered on-site property.

"Open burning" means the combustion of any material without the following characteristics:

Control of combustion air to maintain adequate temperature for efficient combustion;

Containment of the combustion reaction in an enclosed device to provide sufficient residence time and mixing for complete combustion; and

Control of emission of the gaseous combustion products.

(See also "incineration" and "thermal treatment".)

"Operator" means the person responsible for the overall operation of a facility.

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"Owner" means the person who owns a facility or part of a facility.

"Partial closure" means the closure of a hazardous waste management unit in accordance with the applicable closure requirements of 35 Ill. Adm. Code 724 or 725 at a facility which contains other active hazardous waste management units. For example, partial closure may include the closure of a tank (including its associated piping and underlying containment systems), landfill cell, surface impoundment, waste pile or other hazardous waste management unit, while other units of the same facility continue to operate.

"Person" means an individual, trust, firm, joint stock company, federal agency, corporation (including a government corporation), partnership, association, state, municipality, commission, political subdivision of a state or any interstate body.

"Personnel" or "facility personnel" means all persons who work at or oversee the operations of a hazardous waste facility and whose actions or failure to act may result in noncompliance with the requirements of 35 Ill. Adm. Code 724 or 725.

"Pesticide" means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest or intended for use as a plant regulator, defoliant, or desiccant, other than any article that fulfills one of the following descriptions:

It is a new animal drug under Section 201(v) of the Federal Food, Drug and Cosmetic Act (FFDCA); 21 U.S.C. Section 321(v)), incorporated by reference in Section 720.111,

It is an animal drug that has been determined by regulation of the federal Secretary of Health and Human Services pursuant to FFDCA Section 512, incorporated by reference in Section 720.111, to be an exempted new animal drug, or

It is an animal feed under FFDCA Section 201(w) (21 U.S.C. Section 321(w)), incorporated by reference in Section 720.111 that bears or contains any substances described in either of the two preceding subsections of this definition.

BOARD NOTE: The second exception of corresponding 40 CFR 260.10 reads as follows: "Is an animal drug that has been determined by regulation of the Secretary of Health and Human Services not to be a new animal drug". This is very similar to the language of Section 2(u) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA; 7 U.S.C. Section 136(u)). The three exceptions, taken together, appear intended not to include as "pesticide" any material within the scope of federal Food and Drug Administration regulation. The Board codified this

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provision with the intent of retaining the same meaning as its federal counterpart while adding the definiteness required under Illinois law.

"pile" means any noncontainerized accumulation of solid, non - flowing hazardous waste that is used for treatment or storage, and that is not a containment building.

"Plasma arc incinerator" means any enclosed device which uses a high intensity electrical discharge or arc as a source of heat followed by an afterburner using controlled flame combustion and which is not listed as an industrial furnace.

"Point source" means any discernible, confined and discrete conveyance including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation or vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture.

"Publicly owned treatment works" or "POTW" is as defined in 35 Ill. Adm. Code 310.110.

"Qualified groundwater scientist" means a scientist or engineer who has received a baccalaureate or post-graduate degree in the natural sciences or engineering, and has sufficient training and experience in groundwater hydrology and related fields, as demonstrated by state registration, professional certifications or completion of accredited university courses that enable the individual to make sound professional judgments regarding groundwater monitoring and containment fate and transport.

BOARD NOTE: "State registration" includes, but is not limited to, registration as a professional engineer with the Department of Professional Regulation, pursuant to Ill-Rev-Stat--1991--ch--117 par--5201--f 225 ILCS 325/1 f and 68 Ill. Adm. Code 1380. "Professional certification" includes, but is not limited to, certification under the certified ground water professional program of the National Ground Water Association.

"Regional Administrator" means the Regional Administrator for the EPA Region in which the facility is located or the Regional Administrator's designee.

"Remediation waste" means all solid and hazardous wastes, and all media (including groundwater, surface water, soils, and sediments) and debris that contain listed hazardous wastes or which themselves exhibit a hazardous waste characteristic which are managed for the purpose of implementing corrective action requirements under 35 Ill.

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Adm. Code 724.201 and RCRA Section 3008(h). For a given facility, remediation wastes may originate only from within the facility boundary, but may include waste managed in implementing RCRA sections 3004(v) or 3008(h) for releases beyond the facility boundary.

~~"Representative sample" means a sample of a universe or whole (e.g., waste pile, lagoon, groundwater) which can be expected to exhibit the average properties of the universe or whole.~~

"Replacement unit" means a landfill, surface impoundment or waste pile unit from which all or substantially all of the waste is removed, and which is subsequently reused to treat, store or dispose of hazardous waste. "Replacement unit" does not include a unit from which waste is removed during closure, if the subsequent reuse solely involves the disposal of waste from that unit and other closing units or corrective action areas at the facility, in accordance with a closure or corrective action plan approved by USEPA 87-S-BPA or the Agency.

~~"Representative sample" means a sample of a universe or whole (e.g., waste pile, lagoon, groundwater) which can be expected to exhibit the average properties of the universe or whole.~~

"Runoff" means any rainwater, leachate or other liquid that drains over land from any part of a facility.

"Runon" means any rainwater, leachate or other liquid that drains over land onto any part of a facility.

"Saturated zone" or "zone of saturation" means that part of the earth's crust in which all voids are filled with water.

"SIC Code" means Standard Industrial Code as defined in Standard Industrial Classification Manual, incorporated by reference in Section 720.111.

"Sludge" means any solid, semi - solid or liquid waste generated from a municipal, commercial or industrial wastewater treatment plant, water supply treatment plant or air pollution control facility exclusive of the treated effluent from a wastewater treatment plant.

"Sludge dryer" means any enclosed thermal treatment device which is used to dehydrate sludge and which has a total thermal input, excluding the heating value of the sludge itself, of 2500 Btu/lb or less of sludge treated on a wet weight basis.

"Small Quantity Generator" means a generator which generates less than 1000 kg of hazardous waste in a calendar month.

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"Solid waste" means a solid waste as defined in 35 Ill. Adm. Code 721.102.

"Sorbent" means a material that is used to soak up free liquids by either adsorption or absorption, or both. "Sorb" means to either adsorb or absorb, or both.

"Sump" means any pit or reservoir that meets the definition of tank and those troughs or trenches connected to it that serve to collect hazardous waste for transport to hazardous waste storage, treatment or disposal facilities; except that, as used in the landfill, surface impoundment and waste pile rules, "sump" means any lined pit or reservoir that serves to collect liquids drained from a leachate collection and removal system or leak detection system for subsequent removal from the system.

"State" means any of the several states, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa and the Commonwealth of the Northern Mariana Islands.

"Storage" means the holding of hazardous waste for a temporary period, at the end of which the hazardous waste is treated, disposed of or stored elsewhere.

"Surface impoundment" or "impoundment" means a facility or part of a facility which is a natural topographic depression, manmade excavation or diked area formed primarily of earthen materials (although it may be lined with manmade materials) which is designed to hold an accumulation of liquid wastes or wastes containing free liquids and which is not an injection well. Examples of surface impoundments are holding, storage, settling and aeration pits, ponds and lagoons.

"Tank" means a stationary device, designed to contain an accumulation of hazardous waste which is constructed primarily of nonearthen materials (e.g., wood, concrete, steel, plastic) which provide structural support.

"Tank system" means a hazardous waste storage or treatment tank and its associated ancillary equipment and containment system.

"Thermal treatment" means the treatment of hazardous waste in a device which uses elevated temperatures as the primary means to change the chemical, physical or biological character or composition of the hazardous waste. Examples of thermal treatment processes are incineration, molten salt, pyrolysis, calcination, wet air oxidation and microwave discharge. (See also "incinerator" and "open burning".)

"Thermostat" means a temperature control device that contains metallic

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mercury in an ampule attached to a bimetal sensing element and mercury-containing ampules that have been removed from such a temperature control device in compliance with the requirements of 35 Ill. Adm. Code 733.113(c)(2) or 733.133(c)(2).

"Totally enclosed treatment facility" means a facility for the treatment of hazardous waste which is directly connected to an industrial production process and which is constructed and operated in a manner which prevents the release of any hazardous waste or any constituent thereof into the environment during treatment. An example is a pipe in which waste acid is neutralized.

"Transfer facility" means any transportation related facility including loading docks, parking areas, storage areas and other similar areas where shipments of hazardous waste are held during the normal course of transportation.

"Transport vehicle" means a motor vehicle or rail car used for the transportation of cargo by any mode. Each cargo-carrying body (trailer, railroad freight car, etc.) is a separate transport vehicle.

"Transportation" means the movement of hazardous waste by air, rail, highway or water.

"Transporter" means a person engaged in the off-site transportation of hazardous waste by air, rail, highway or water.

"Treatability study" means:

A study in which a hazardous waste is subjected to a treatment process to determine:

Whether the waste is amenable to the treatment process.

What pretreatment (if any) is required.

The optimal process conditions needed to achieve the desired treatment.

The efficiency of a treatment process for a specific waste or wastes. Or,

The characteristics and volumes of residuals from a particular treatment process.

Also included in this definition for the purpose of 35 Ill. Adm. Code 721.104(e) and (f) exemptions are liner compatibility, corrosion and other material compatibility studies and



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toxicological and health effects studies. A "treatability study" is not a means to commercially treat or dispose of hazardous waste.

"Treatment" means any method, technique or process, including neutralization, designed to change the physical, chemical or biological character or composition of any hazardous waste so as to neutralize such waste, or so as to recover energy or material resources from the waste or so as to render such waste non-hazardous or less hazardous; safer to transport, store or dispose of; or amenable for recovery, amenable for storage or reduced in volume.

"Treatment zone" means a soil area of the unsaturated zone of a land treatment unit within which hazardous constituents are degraded, transformed or immobilized.

"Underground injection" means the subsurface emplacement of fluids through a bored, drilled or driven well; or through a dug well, where the depth of the dug well is greater than the largest surface dimension. (See also "injection well".)

"Underground tank" means a device meeting the definition of "tank" whose entire surface area is totally below the surface of and covered by the ground.

"Unfit-for-use tank system" means a tank system that has been determined through an integrity assessment or other inspection to be no longer capable of storing or treating hazardous waste without posing a threat of release of hazardous waste to the environment.

~~"Uppermost aquifer" means the geologic formation nearest the natural ground surface that is an aquifer, as well as lower aquifers that are hydraulically interconnected with this aquifer within the facility's property boundary.~~

"United States" means the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa and the Commonwealth of the Northern Mariana Islands.

~~"Universal waste" means any of the following hazardous wastes that are managed under the universal waste requirement of 35 Ill. Adm. Code 733.103:~~

~~Batteries, as described in 35 Ill. Adm. Code 733.102;~~

~~Pesticides, as described in 35 Ill. Adm. Code 733.103; and~~

~~Thermostats, as described in 35 Ill. Adm. Code 733.104.~~

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"Universal waste handler" means either of the following:

A generator (as defined in this Section) of universal waste; or

The owner or operator of a facility, including all contiguous property, that receives universal waste from other universal waste handlers, accumulates the universal waste, and sends that universal waste to another universal waste handler, to a destination facility, or to a foreign destination.

"Universal waste handler" does not mean:

A person that treats (except under the provisions of Section 733.113(a) or (c) or 733.133(a) or (c)), disposes of, or recycles universal waste; or

A person engaged in the off-site transportation of universal waste by air, rail, highway, or water, including a universal waste transfer facility.

"Universal waste transporter" means a person engaged in the off-site transportation of universal waste by air, rail, highway, or water.

"Unsaturated zone" or "zone of aeration" means the zone between the land surface and the water table.

"Uppermost aquifer" means the geologic formation nearest the natural ground surface that is an aquifer, as well as lower aquifers that are hydraulically interconnected with this aquifer within the facility's property boundary.

"USDOT" or "Department of Transportation" means the United States Department of Transportation.

"Used oil" means any oil that has been refined from crude oil, or any synthetic oil, that has been used and as a result of such use is contaminated by physical or chemical impurities.

"USEPA" or "EPA" or "U.S. EPA" means the United States Environmental Protection Agency.

"Vessel" includes every description of watercraft, used or capable of being used as a means of transportation on the water.

"Wastewater treatment unit" means a device which:

Is part of a wastewater treatment facility which has an NPDES permit pursuant to 35 Ill. Adm. Code 309 or a pretreatment

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permit or authorization to discharge pursuant to 35 Ill. Adm. Code 310; and

Receives and treats or stores an influent wastewater which is a hazardous waste as defined in 35 Ill. Adm. Code 721.103, or generates and accumulates a wastewater treatment sludge which is a hazardous waste as defined in 35 Ill. Adm. Code 721.103, or treats or stores a wastewater treatment sludge which is a hazardous waste as defined in 35 Ill. Adm. Code 721.103; and

Meets the definition of tank or tank system in this Section.

"Water (bulk shipment)" means the bulk transportation of hazardous waste which is loaded or carried on board a vessel without containers or labels.

"Well" means any shaft or pit dug or bored into the earth, generally of a cylindrical form, and often walled with bricks or tubing to prevent the earth from caving in.

"Well injection" (See "underground injection").

"Zone of engineering control" means an area under the control of the owner or operator that, upon detection of a hazardous waste release, can be readily cleaned up prior to the release of hazardous waste or hazardous constituents to groundwater or surface water.

(Source: Amended at 20 Ill. Reg. **10929**, effective **AUG 01 1996**)

## Section 720.111 References

a) The following publications are incorporated by reference:

ANSI. Available from the American National Standards Institute, 1430 Broadway, New York, New York 10018, 212-354-3300:

ANSI B31.3 and B31.4. See ASME/ANSI B31.3 and B31.4

ACI. Available from the American Concrete Institute, Box 19150, Redford Station, Detroit, Michigan 48219:

ACI 318-83: "Building Code Requirements for Reinforced Concrete", adopted September, 1983.

API. Available from the American Petroleum Institute, 1220 L Street, N.W., Washington, D.C. 20005, 202-682-8000:

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"Catholic Protection of Underground Petroleum Storage Tanks and Piping Systems", API Recommended Practice 1632, Second Edition, December, 1987.

"Evaporative Loss from External Floating-Roof Tanks", API Publication 2517, Third Edition, February, 1989.

"Guide for Inspection of Refinery Equipment, Chapter XIII, Atmospheric and Low Pressure Storage Tanks", 4th Edition, 1981, reaffirmed December, 1987.

"Installation of Underground Petroleum Storage Systems", API Recommended Practice 1615, Fourth Edition, November, 1987.

APTI. Available from the Air and Waste Management Association, Box 2861, Pittsburgh, PA 15230, 412-232-3444:

APTI Course 415: Control of Gaseous Emissions, USEPA H-8: EPA Publication EPA-450/2-81-005, December, 1981.

ASME. Available from the American Society of Mechanical Engineers, 345 East 47th Street, New York, NY 10017, 212-705-7722:

"Chemical Plant and Petroleum Refinery Piping", ASME/ANSI B31.3 - 1987, as supplemented by B31.3a - 1988 and B31.3b - 1988. Also available from ANSI.

"Liquid Transportation Systems for Hydrocarbons, Liquid Petroleum Gas, Anhydrous Ammonia, and Alcohols", ASME/ANSI B31.4 - 1986, as supplemented by B31.4a - 1987. Also available from ANSI.

ASTM. Available from American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103, 215-299-5400:

ASTM C94-90, Standard Specification for Ready-Mixed Concrete, approved March 30, 1990.

ASTM D88-87, Standard Test Method for Saybolt Viscosity, April 24, 1981, reapproved January, 1987.

ASTM D93-85, Standard Test Methods for Flash Point by Pensky - Martens Closed Tester, approved October 25, 1985.

ASTM D1946-90, Standard Practice for Analysis of Reformed Gas by Gas Chromatography, approved March 30, 1990.

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ASTM D2161-87, Standard Practice for Conversion of Kinematic Viscosity to Saybolt Universal or to Saybolt Furol Viscosity, March 27, 1987.

ASTM D2267-88, Standard Test Method for Aromatics in Light Naphthas and Aviation Gasolines by Gas Chromatography, approved November 17, 1988.

ASTM D2382-88, Standard Test Method for Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter (High Precision Method), approved October 31, 1988.

ASTM D2879-86, Standard Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, approved October 31, 1986.

ASTM D 2879-92, Standard Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, approved 1992.

ASTM D3828-87, Standard Test Methods for Flash Point of Liquids by Setflash Closed Tester, approved December 14, 1988.

ASTM E168-88, Standard Practices for General Techniques of Infrared Quantitative Analysis, approved May 27, 1988.

ASTM E169-87, Standard Practices for General Techniques of Ultraviolet-Visible Quantitative Analysis, approved February 1, 1987.

ASTM E260-85, Standard Practice for Packed Column Gas Chromatography, approved June 28, 1985.

ASTM E266-88 C, Standard Test Methods for Preparing Refuse-Derived Fuel (RDF) Samples for Analysis of Metals, Bomb-Acid Digestion Method, approved March 35, 1988.

ASTM Method G21-70 (1984a) -- Standard Practice for Determining Resistance of Synthetic Polymer Materials to Fungi

ASTM Method G22-76 (1984b) -- Standard Practice for Determining Resistance of Plastics to Bacteria.

GPO. Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402,

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202-783-3238:

Standard Industrial Classification Manual (1972), and 1977 Supplement, republished in 1983

"Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", USEPA 8-S-EPA Publication number SW-846 (Third Edition, November, 1986), as amended by Updates I (July, 1992), II (September, 1994), and IIA (August, 1993), and IIB (January, 1995) (Document Number 955-001-00000-1) (contact 8-S-EPA, Office of Solid Waste, or MIEB, as indicated below, for update-iff).

MIEB, --- Available from Methods-Information-Communication-Service at 703-821-4789:

"Test Methods for Evaluating Solid Waste--Physical/Chemical Methods", 8-S-EPA Publication number SW-846--Third Edition, November, ---1986, ---Update---iff---Document---Number 955-001-00000-1, (contact-8E07, as--indicated--above--for SW-846-and-update-iff).

NACE. Available from the National Association of Corrosion Engineers, 1400 South Creek Dr., Houston, TX 77084, 713-492-0535:

"Control of External Corrosion on Metallic Buried, Partially Buried, or Submerged Liquid Storage Systems", NACE Recommended Practice RP0285-85, approved March, 1985.

NFPA. Available from the National Fire Protection Association, Batterymarch Park, Boston, MA 02269, 617-770-3000 or 800-344-3555:

"Flammable and Combustible Liquids Code" NFPA 30, issued July 17, 1987. Also available from ANSI.

NTIS. Available from the U.S. Department of Commerce, National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, 703-487-4600:

"Generic Quality Assurance Project Plan for Land Disposal Restrictions Program", EPA/530-SW-87-011, March 15, 1987. (Document number PB 88-170766.)

"Guidance on Air Quality Models", Revised 1986. (Document number PB86-245-248 (Guideline) and PB88-150-958 (Supplement)).



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"Methods for Chemical Analysis of Water and Wastes", Third Edition, March, 1983. (Document number PB 84-128677).

"Methods Manual for Compliance with BIF Regulations", December, 1990. (Document number PB91-120-006).

"Petitions to Delist Hazardous Wastes--A Guidance Manual", EPA/530-SW-85-003, April, 1985. (Document Number PB 85-194488).

"Procedures Manual for Ground Water Monitoring at Solid Waste Disposal Facilities", EPA-530/SW-611, 1977. (Document number PB 84-174820).

"Screening Procedures for Estimating the Air Quality Impact of Stationary Sources", October, 1992, Publication Number EPA-450/R-92-019.

STI. Available from the Steel Tank Institute, 728 Anthony Trail, Northbrook, IL 60062, 708-498-1980:

"Standard for Dual Wall Underground Steel Storage Tanks" (1986).

USEPA. U-S-EPA. Available from United States Environmental Protection Agency, Office of Drinking Water, State Programs Division, WH 550 E, Washington, D.C. 20460:

"Technical Assistance Document: Corrosion, Its Detection and Control in Injection Wells", EPA 570/9-87-002, August, 1987.

U-S-EPA. Available from U-S-EPA Office of Solid Waste--Mail Code-530477-401-M-Street-SW, Washington-D.C.-20460:

quest--Methods-for-Evaluating-Solid-Waste-Physical-Chemical Methods--U-S-EPA-Publication-Number-SW-846-4th-Edition-November-198677--Update--IFA--Document--Number-955-001-00000-17--Contact--609--as--indicated--above7--for SW-846-and-Update-177

U-S-EPA. Available from U-S-EPA Number-P-90-WPWP-P90PP77-Room M24277-401-M-Street-SW-Washington-D.C.-204607-202-495-9327:

"Test-Method-0290--Procedures-for-the-Detection-and Measurement-of-PEDBs-and-PEDBs", EPA/530-SW-91-019-1-January 19917

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USEPA U-S-EPA. Available from Receptor Analysis Branch, USEPA U-S-EPA (MD-14), Research Triangle Park, NC 27711:

"Screening Procedures for Estimating the Air Quality Impact of Stationary Sources, Revised", October, 1992, Publication Number EPA-450/R-92-019.

b) Code of Federal Regulations. Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20401, 202-783-3238:

10 CFR 20, Appendix B (1994)

40 CFR 51.100(ii) (1994)

40 CFR 51, Subpart W (1994)

40 CFR 60 (1994), as amended at 59 Fed. Reg. 62924 (Dec. 6, 1994)

40 CFR 61, Subpart V (1994)

40 CFR 136 (1994), as amended at 60 Fed. Reg. 17160 (Apr. 4, 1995)

40 CFR 142 (1994)

40 CFR 220 (1994)

40 CFR 260.20 (1994)

40 CFR 264 (1994)

40 CFR 268, Appendix IX (1994)

40 CFR 302.4, 302.5 and 302.6 (1994)

40 CFR 761 (1994)

49 CFR 178 (1994)

c) Federal Statutes

Section 3004 of the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), as amended through December 31, 1987.

Sections 201(v), 201(w), and 360b(j) of the Federal Food, Drug, and Cosmetic Act (FDCA); 21 U.S.C. Sections 321(v), 321 (w) and 512(j), as amended through October 25, 1994.

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- d) This Section incorporates no later editions or amendments.

(Source: Amended at 20 Ill. Reg. 10929, effective AUG 01 1996)

## SUBPART C: RULEMAKING PETITIONS AND OTHER PROCEDURES

## Section 720.120 Rulemaking

- a) Any person may petition the Board to adopt as State regulations rules that which are identical in substance with newly-adopted federal amendments or regulations. The petition shall take the form of a proposal for rulemaking pursuant to 35 Ill. Adm. Code 102. The proposal shall include a listing of all amendments to 40 CFR 260 through 266, and 268, or 273 that which have been made since the last preceding amendment or proposal to amend 35 Ill. Adm. Code 720 through 726, 728 and--266, or 733, pursuant to Section 22.4(a) of the Environmental Protection Act.
- b) Any person may petition the Board to adopt amendments or additional regulations not identical in substance with federal regulations. Such proposal shall conform to 35 Ill. Adm. Code 102 and Title VII and Section 22.4(b) or 22.4(c) of the Environmental Protection Act.

(Source: Amended at 20 Ill. Reg. 10929, effective AUG 01 1996)

## Section 720.123 Petitions for Regulation as Universal Waste

- a) Any person seeking to add a hazardous waste or a category of hazardous waste to the universal waste regulations of 35 Ill. Adm. Code 733 may petition for a regulatory amendment under this Section, Section 720.120, and 35 Ill. Adm. Code 733.Subpart G.
- b) Petition and Demonstration.

- 1) To be successful, the petitioner must demonstrate each of the following:

- A) That regulation under the universal waste regulations of 35 Ill. Adm. Code 733 is appropriate for the waste or category of waste;
- B) That regulation under 35 Ill. Adm. Code 733 will improve management practices for the waste or category of waste; and
- C) That regulation under 35 Ill. Adm. Code 733 will improve implementation of the hazardous waste program.

- 2) The petition must include the information required by Section 720.120(b). The petition should also address as many of the factors listed in 35 Ill. Adm. Code 733.181 as are appropriate for the waste or category of waste addressed in the petition.

- c) The Board will grant or deny a petition using the factors listed in 35 Ill. Adm. Code 733.181. The decision will be based on the weight of

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evidence that shows the following with regard to regulation under 35 Ill. Adm. Code 733:

- 1) That it is appropriate for the waste or category of waste,
- 2) That it will improve management practices for the waste or category of waste, and
- 3) That it will improve implementation of the hazardous waste program.

- d) The Board may request additional information to that set forth in 35 Ill. Adm. Code 733.181, as needed to evaluate the merits of the petition.

(Source: Added at 20 Ill. Reg. 10929, effective AUG 01 1996)

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1) Heading of the Part: Identification and Listing of Hazardous Waste2) Code citation: 35 Ill. Adm. Code 7213) Section numbers: Adopted action:

721.103, 721.104, 721.105

Amended

721.106

Amended

721.109

New Section

721.130, 721.131, 721.132

Amended

721.133, 721.App. G,

Amended

721. App. H

Amended

721.App. I, Tab. B

Amended

721.App. Z

Amended

4) Statutory authority: 415 ILCS 5/22.4 and 275) Effective date of amendments: August 1, 19966) Does this rulemaking contain an automatic repeal date? No

7) Do these amendments contain incorporations by reference? Yes. 35 Ill. Adm. Code 720.111 is the centralized listing of all documents incorporated by reference for the purposes of 35 Ill. Adm. Code 702, 703, 704, 705, 720, 721, 722, 723, 724, 725, 726, 728, 730, 733, 738 & 739. The present amendments update the version of SW-846 incorporated by reference in the existing text of Part 721.

8) Date filed in Board's principal office: Order adopted June 20, 1996.9) Notice of proposal published in Illinois Register: February 16, 1996, 20 Ill. Reg. 2685

10) Has JCAR issued a Statement of Objections to these rules? No. Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] provides that Section 5 of the Administrative Procedure Act [5 ILCS 100/5-35 and 5-40] shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

11) Differences between proposal and final version: The following tables summarize the differences between the proposed and final versions of the amendments:

Revisions to the Text of the Proposed AmendmentsSection Correction

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## 721.103(a)(2)(D)(vi)

Corrected subsection number;  
corrected "can not" to "cannot";  
removed "is" after "or"

721.104(e)(2)(E)(iii) &  
721.105(d)(2)

Deleted commas from ends

## 721.105(e)(1) &amp; (e)(2)

Corrected "Sections" to "Section";  
added "one or more of the"

## 721.105(f)(2)

Corrected "subsections" to  
"subsection"

## 721.105(f)(3) &amp; (g)(3)

Corrected spelling of "conditions";  
deleted commas from before "or  
ensure"; added commas before "or  
disposal facility"; Replaced "either  
of which, if located in the United  
States, is" with "provided that if  
the on-site or off-site facility is  
located in the United States, it  
fulfills any of the following  
conditions"

## 721.105(f)(3)(B) &amp; (g)(3)(B)

Deleted "in" before "interim status"

## 721.105(g)(3)(C) &amp; (g)(3)(D)

Used lower case "state"

## 721.106(a)(3)(A)(ii)

Changed end punctuation

## 721.109 Source Note p

Added "effective"

## 721.131(a)

Included the text of the amendments  
in the order (although described in  
the proposed opinion, see infra pp.  
13 & 40, they were omitted from the  
proposed order); removed erroneous  
space from "2,4,5-trichloro-phenol"

## 721.132 "R066" listing

Removed Illinois Revised Statutes  
citation and corrected Illinois  
Compiled Statutes citation format

## 721.132 "K149" listing

Deleted end punctuation

## 721.133(a), (b) &amp; (d)

Changed "subsections" to "subsection"



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721.133(e) "P001", "P047", "P051", "P075" & "P108" listings  
 Removed "p" notations from CAS numbers and added footnote and Board Note to restore missing federal language relating to the number for the parent compounds; added end punctuation to second listing

721.133(e) "P201" listing  
 Added ", methyl carbamate"

721.133(e) "P203" listing  
 Corrected "P023" to "P203" for "aldicarb sulfone" entry

721.Appendix G "F005", "F039", "K036", "K052", "K064", "K065", "K066", "K088", "K090", "K091", "K117", "K118", "K123", "K124", "K125", "K126", "K132" & "K136" listings

Added end punctuation

721.Appendix G "K116" listing

Changed to lower case "tetrachloride"

721.Appendix G "K131" listing

Corrected "sulfate" to "sulfate"

721.Appendix H "Potassium hydroxymethyl-n-methyl-dithiocarbamate" listing

Corrected spelling of "hydroxy"

721.Appendix H "Toluenediamine" listing

Corrected spelling of "benzenediamine" (error appeared only in Illinois Register, not in Proposed Order)

721.Appendix I, Table B "CSI" delisting

Removed parentheses from references to conditions; added end punctuation where missing; removed "those" from before "metals"; corrected spelling of "data" & "compiled"; corrected "an" to "and" before "upon conveyance"; added end quotation mark where missing

721.Appendix Z

Corrected "characteristics" to "characteristic"

JCAR Revisions to the Text of the Proposed Rules That  
 Appeared Only in the Illinois Register Version of the Proposal  
 Which the Board Has Declined to Accept

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Section	Correction
721.104(f)(1)	Deleted "(f)" from subsection reference
721.Appendix I, Table B "CSI" delisting	Added opening quotes to second and third paragraphs of certification language

12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR? Section 22.4(a) of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR. Nevertheless, JCAR did review the regulations and submitted a number of suggested corrections for Board consideration. The Board reviewed the suggestions and accepted most of them. Those not accepted by the Board are indicated in the second table under item 11 above.

13) Will these amendments replace emergency amendments currently in effect?  
 No

14) Are there any other amendments pending on this Part? No

15) Summary and purpose of amendments: A more detailed description is contained in the Board's opinion of June 20, 1996 in R95-20, which Opinion is available from the address below. Section 22.4 of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

The larger R95-20 proceeding, of which the amendments to this Part is one segment, updates 35 Ill. Adm. Code 702, 703, 720, 721, 722, 724, 725, 726, and 728 of the Board's RCRA Subtitle C rules and adds 35 Ill. Adm. Code 733 to correspond with amendments adopted by U.S. EPA that appeared in the Federal Register during the period January 1 through June 30, 1995, with the addition of actions dated July 7, September 29, and November 13, 1995 and June 5, 1996. During the routine update period of January 1 through June 30, 1995, USEPA undertook the following actions:

## Federal Action

## Summary

Jan. 3, 1995,  
 60 Fed. Reg. 242

Technical Corrections to Phase II LDRs

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Jan. 13, 1995,  
60 Fed. Reg. 3089  
Update to testing and monitoring methods

Feb. 3, 1995,  
60 Fed. Reg. 6666  
Response to City of Chicago v. Environmental  
Defense Fund decision

Feb. 7, 1995,  
60 Fed. Reg. 7366  
Determination that additional regulation is  
necessary for cement kiln dust

Feb. 9, 1995,  
60 Fed. Reg. 7824  
New hazardous waste listings for six carbamate  
production wastes; addition of 58 commercial  
chemical product wastes; exemption of certain  
biological treatment sludges

Apr. 4, 1995,  
60 Fed. Reg. 17001  
Update to testing and monitoring methods

Apr. 4, 1995,  
60 Fed. Reg. 17160  
Update to CWA analytical methods

## Corrections to carbamate waste listings

## Universal Waste Rule

## Correction to carbamate waste listings

May 12, 1995,  
60 Fed. Reg. 25619  
Postponement of effective date for tank,  
container, and surface impoundment air emissions  
rules

June 13, 1995,  
60 Fed. Reg. 31114  
Delisting of hazardous waste generated in  
Illinois by a Pennsylvania company

June 29, 1995,  
60 Fed. Reg. 33912  
Deletion of obsolete, redundant, and outdated  
RCRA rules

In addition to these principal amendments that occurred during the normal  
docket update period, the Board has included four additional, later  
actions that are corrections or relaxations of prior amendments in the  
preceding RCRA Subtitle C update docket, R95-4/R95-6:

July 7, 1995,  
60 Fed. Reg. 35452  
Correction to the Subpart CC organic material  
emissions standards for tanks, containers and  
surface impoundments

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September 29, 1995,  
60 Fed. Reg. 50426  
Stay of Subpart CC rules as they apply to tanks,  
containers, and surface impoundments that contain  
wastes generated in the manufacture of organic  
peroxides

November 13, 1995,  
60 Fed. Reg. 56952  
Stay of Subpart CC rules in their entirety until  
June 6, 1996

June 5, 1996,  
61 Fed. Reg. 28508  
Stay of Subpart CC rules in their entirety until  
October 6, 1996

Further, the Board used this opportunity to include a number of corrective  
amendments to the existing regulations. These corrections are more fully  
described below. They are derived from comments by the Joint Committee on  
Administrative Rules (JCAR) and the Illinois EPA (Agency).

Finally, the Board omitted from consideration two sets of federal  
amendments that occurred during the time-frame of this docket. First, on  
**January 3, 1995**, USEPA corrected errors and clarified language in the  
universal treatment standards adopted on September 19, 1994 as the Phase  
II LDRs. The Board did not include those amendments in this docket  
because we dealt with them in docket R95-4/R95-6, when adopting the Phase  
II rules. Second, on **May 19, 1995**, USEPA stayed implementation of the 40  
CFR 264, subpart CC and 265, subpart CC (Subpart CC) regulations governing  
organic material emissions from tanks, containers, and surface  
impoundments. USEPA delayed the effective date by six months, until  
December 6, 1995. This delay was similarly included with the R95-4/R95-6  
amendments, so there was no need for the Board to take action at this  
time. Further, the subsequent federal stay granted on November 13, 1995  
and extended on June 5, 1996 made that initial stay of May 19 obsolete.

Specifically, the segment of the amendments involved in Part 721 are based  
on the federal amendments of February 3 and 9, April 17, May 11 and 12,  
and June 13, 1995. The Board updated the note to the City of Chicago case  
to reflect the interpretive action of February 3. The Board added the  
carbamate waste and hazardous constituent listings in response to the  
federal actions of February 9, April 17, and May 12, 1995. The Board  
added the provisions relating to the universal waste rules adopted by  
USEPA on May 11, 1995. Finally, the Board added the CSI waste delisting  
granted on June 13, 1995. The Board has further used this opportunity to  
make a number of minor, non-substantive amendments to the existing text of  
the regulations.

16) Information and questions regarding these adopted amendments shall be  
directed to:

Michael J. McCambridge  
Attorney

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Illinois Pollution Control Board  
100 W. Randolph, Ste. 11-500  
Chicago, IL 60601  
312/814-6924

Request copies of the Board's opinion and order of June 20, 1996 from  
Victoria Agyeman, at 312/814-3620.

The full text of the adopted amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE G: WASTE DISPOSAL  
CHAPTER I: POLLUTION CONTROL BOARD  
SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

PART 721  
IDENTIFICATION AND LISTING OF  
HAZARDOUS WASTE

## SUBPART A: GENERAL PROVISIONS

Section	Purpose of Scope	Quantity
721.101	Definition of Solid Waste	
721.102	Definition of Hazardous Waste	
721.103	Exclusions	
721.104	Special Requirements for Hazardous Waste Generated by Small Generators	
721.105	Requirements for Recyclable Materials	
721.106	Residues of Hazardous Waste in Empty Containers	
721.107	PCB Wastes Regulated under TSCA	
721.108	Requirements for Universal Waste	
721.109		

SUBPART B: CRITERIA FOR IDENTIFYING THE  
CHARACTERISTICS OF HAZARDOUS WASTE  
AND FOR LISTING HAZARDOUS WASTES

Section	Criteria for Identifying the Characteristics of Hazardous Waste
721.110	Criteria for Listing Hazardous Waste
721.111	

## SUBPART C: CHARACTERISTICS OF HAZARDOUS WASTE

Section	General
721.120	Characteristic of Ignitability
721.121	Characteristic of Corrosivity
721.122	Characteristic of Reactivity
721.123	Toxicity Characteristic
721.124	

## SUBPART D: LISTS OF HAZARDOUS WASTE

Section	General
721.130	Hazardous Wastes From Nonspecific Sources
721.131	Hazardous Waste from Specific Sources
721.132	Discarded Commercial Chemical Products, Off-Specification Species, Container Residues and Spill Residues Thereof
721.133	



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## 721.135 Wood Preserving Wastes

APPENDIX A	Representative Sampling Methods
APPENDIX B	Method 1311 Toxicity Characteristic Leaching Procedure (TCLP)
APPENDIX C	Chemical Analysis Test Methods
TABLE A	Analytical Characteristics of Organic Chemicals (Repealed)
TABLE B	Analytical Characteristics of Inorganic Species (Repealed)
TABLE C	Sample Preparation/Sample Introduction Techniques (Repealed)
APPENDIX G	Basis for Listing Hazardous Wastes
APPENDIX H	Hazardous Constituents
APPENDIX I	Wastes Excluded by Administrative Action
TABLE A	Wastes Excluded by U.S. EPA under 40 CFR 260.20 and 260.22 from Non-Specific Sources
TABLE B	Wastes Excluded by <u>USEPA 495--EPA</u> under 40 CFR 260.20 and 260.22 from Specific Sources
TABLE C	Wastes Excluded by U.S. EPA under 40 CFR 260.20 and 260.22 from Commercial Chemical Products, Off-Specification Species, Container Residues, and Soil Residues Thereof
TABLE D	Wastes Excluded by the Board by Adjusted Standard
APPENDIX J	Method of Analysis of Chlorinated Dibenzo-p-Dioxins and Dibenzofurans (Repealed)
APPENDIX Z	Table to Section 721.102

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective May 17, 1982; amended and codified in R81-22, 45 PCB 317, at 6 Ill. Reg. 4828, effective May 17, 1982; amended in R82-18, 51 PCB 31, at 7 Ill. Reg. 2518, effective February 22, 1983; amended in R82-19, 53 PCB 131, at 7 Ill. Reg. 13999, effective October 12, 1983; amended in R84-34, 61 PCB 247, at 8 Ill. Reg. 24562, effective December 11, 1984; amended in R84-9, at 9 Ill. Reg. 11834, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 998, effective January 2, 1986; amended in R85-2 at 10 Ill. Reg. 8112, effective May 2, 1986; amended in R86-1 at 10 Ill. Reg. 14002, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20647, effective December 2, 1986; amended in R86-28 at 11 Ill. Reg. 6035, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13466, effective August 4, 1987; amended in R87-32 at 11 Ill. Reg. 16698, effective September 30, 1987; amended in R87-5 at 11 Ill. Reg. 19303, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2456, effective January 15, 1988; amended in R87-30 at 12 Ill. Reg. 12070, effective July 12, 1988; amended in R87-39 at 12 Ill. Reg. 13006, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 382, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18300, effective November 13, 1989; amended in R90-2 at 14 Ill. Reg. 14401, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16472, effective September 25, 1990; amended in R90-17 at 15 Ill. Reg. 7950, effective May 9, 1991; amended in R90-11 at 15 Ill. Reg. 9332, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14473, effective September 30, 1991; amended

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in R91-12 at 16 Ill. Reg. 2155, effective January 27, 1992; amended in R91-26 at 16 Ill. Reg. 2600, effective February 3, 1992; amended in R91-13 at 16 Ill. Reg. 9519, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17666, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5650, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20568, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6741, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12175, effective July 29, 1994; amended in R94-17 at 18 Ill. Reg. 17490, effective November 23, 1994; amended in R95-6 at 19 Ill. Reg. 9522, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. 10963, effective AUG 01 1996.

## SUBPART A: GENERAL PROVISIONS

## Section 721.103 Definition of Hazardous Waste

- a) A solid waste, as defined in Section 721.102, is a hazardous waste if:
  - 1) It is not excluded from regulation as a hazardous waste under Section 721.104(b); and
  - 2) It meets any of the following criteria:
    - A) It exhibits any of the characteristics of hazardous waste identified in 721.Subpart C.
    - i) Except that any mixture of a waste from the extraction, beneficiation, or processing of ores or minerals excluded under Section 721.104(b)(7) and any other solid waste exhibiting a characteristic of hazardous waste under 721.Subpart C is a hazardous waste only: if it exhibits a characteristic that would not have been exhibited by the excluded waste alone if such mixture had not occurred, or if it continues to exhibit any of the characteristics exhibited by the non-excluded wastes prior to mixture.
    - ii) Further, for the purposes of applying the toxicity characteristic to such mixtures under subsection (a)(2)(A)(i) above, the mixture is also a hazardous waste: if it exceeds the maximum concentration for any contaminant listed in Section 721.124 that would not have been exceeded by the excluded waste alone if the mixture had not occurred, or if it continues to exceed the maximum concentration for any contaminant by the nonexempt waste prior to mixture.
  - B) It is listed in 721.Subpart D and has not been excluded from the lists in 721.Subpart D under 35 Ill. Adm. Code 720.120 and 720.122.
  - C) It is a mixture of a solid waste and a hazardous waste that is listed in 721.Subpart D solely because it exhibits one or more of the characteristics of hazardous waste identified in 721.Subpart C, unless:
    - i) the resultant mixture no longer exhibits any

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characteristic of hazardous waste identified in 721.Subpart C, or

ii) the solid waste is excluded from regulation under Section 721.104(b)(7) and the resultant mixture no longer exhibits any characteristic of hazardous waste identified in 721.Subpart C for which the hazardous waste listed in 721.Subpart D was listed.

iii) Nonwastewater mixtures are still subject to the requirements of 35 Ill. Adm. Code 728, even if they no longer exhibit a characteristic at the point of land disposal.

D) It is a mixture of solid waste and one or more hazardous wastes listed in 721.Subpart D and has not been excluded from this subsection (a)(2) under 35 Ill. Adm. Code 720.120 and 720.122; however, the following mixtures of solid wastes and hazardous wastes listed in 721.Subpart D are not hazardous wastes (except by application of subsection (a)(2)(A) or (a)(2)(B) above) if the generator demonstrates that the mixture consists of wastewater the discharge of which is subject to regulation under either 35 Ill. Adm. Code 309 or 310 (including wastewater at facilities that have eliminated the discharge of wastewater) and:

i) One or more of the following solvents listed in Section 721.131: carbon tetrachloride, tetrachloroethylene, trichloroethylene, provided that the maximum total weekly usage of these solvents (other than the amounts that can be demonstrated not to be discharged to wastewater) divided by the average weekly flow of wastewater into the headworks of the facility's wastewater treatment or pretreatment system does not exceed 1 part per million; or

ii) One or more of the following spent solvents listed in Section 721.131: methylene chloride, 1,1,1-trichloroethane, chlorobenzene, o-dichlorobenzene, cresols, cresylic acid, nitrobenzene, toluene, methyl ethyl ketone, carbon disulfide, isobutanol, pyridine, spent chlorofluorocarbon solvents, provided that the maximum total weekly usage of these solvents (other than the amounts that can be demonstrated not to be discharged to wastewater) divided by the average weekly flow of wastewater into the headworks of the facility's wastewater treatment or pretreatment system does not exceed 25 parts per million; or

iii) One of the following wastes listed in Section 721.132: heat exchanger bundle cleaning sludge from the petroleum refining industry (USEPA#8-S-1-BPA hazardous waste no. K050); or

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iv) A discarded commercial chemical product or chemical intermediate listed in Section 721.133 arising from de minimis losses of these materials from manufacturing operations in which these materials are used as raw materials or are produced in the manufacturing process. For purposes of this subsection, "de minimis" losses include those from normal material handling operations (e.g., spills from the unloading or transfer of materials from bins or other containers, leaks from pipes, valves, or other devices used to transfer materials); minor leaks of process equipment, storage tanks, or containers; leaks from well-maintained pump packings and seals; sample purgings; relief device discharges; discharges from safety showers and rinsing and cleaning of personal safety equipment; and rinsate from empty containers or from containers that are rendered empty by that rinsing; or

v) Wastewater resulting from laboratory operations containing toxic (T) wastes listed in 721.Subpart D, provided that the annualized average flow of laboratory wastewater does not exceed one percent of total wastewater flow into the headworks of the facility's wastewater treatment or pretreatment system or provided that the wastes combined annualized average concentration does not exceed one part per million in the headworks of the facility's wastewater treatment or pretreatment facility. Toxic (T) wastes used in laboratories that are demonstrated not to be discharged to wastewater are not to be included in this calculation; or

vi) One or more of the following wastes listed in Section 721.132: wastewaters from the production of carbamates and carbamoyl oximes (USEPA Hazardous Waste No. K157); provided that the maximum weekly usage of formaldehyde, methyl chloride, methylene chloride, and triethylenamine (including all amounts that cannot be demonstrated to be reacted in the process, destroyed through treatment, or recovered (i.e., what is discharged or volatilized) divided by the average weekly flow of process wastewater prior to any dilutions into the headworks of the facility's wastewater treatment system does not exceed a total of 5 parts per million by weight; or

vii) Wastewaters derived from the treatment of one or more of the following wastes listed in Section 721.132: organic waste (including heavy ends, still bottoms, light ends, spent solvents, filtrates, and decantates) from the production of carbamates and carbamoyl oximes (USEPA Hazardous Waste No. K156);



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provided that the maximum concentration of formaldehyde, methyl chloride, methylene chloride, and triethylamine prior to any dilutions into the headworks of the facility's wastewater treatment system does not exceed a total of 5 milligrams per liter.

- E) Rebuttable presumption for used oil. Used oil containing more than 1,000 ppm total halogens is presumed to be a hazardous waste because it has been mixed with halogenated hazardous waste listed in 721.Subpart D. Persons may rebut this presumption by demonstrating that the used oil does not contain hazardous waste (for example, by using an analytical method from SW-846, incorporated by reference at 35 Ill. Adm. Code 720.111, to show that the used oil does not contain significant concentrations of halogenated hazardous constituents listed in 721.Appendix H).

i) The rebuttable presumption does not apply to metalworking oils or fluids containing chlorinated paraffins if they are processed through a tolling arrangement as described in 35 Ill. Adm. Code 739.124(c) to reclaim metalworking oils or fluids. The presumption does apply to metalworking oils or fluids if such oils or fluids are recycled in any other manner, or disposed.

ii) The rebuttable presumption does not apply to used oils contaminated with chlorofluorocarbons (CFCs) removed from refrigeration units where the CFCs are destined for reclamation. The rebuttable presumption does apply to used oils contaminated with CFCs that have been mixed with used oil from sources other than refrigeration units.

- b) A solid waste that is not excluded from regulation under subsection (a)(1) above becomes a hazardous waste when any of the following events occur:

1) In the case of a waste listed in 721.Subpart D, when the waste first meets the listing description set forth in 721.Subpart D.

2) In the case of a mixture of solid waste and one or more listed hazardous wastes, when a hazardous waste listed in 721.Subpart D is first added to the solid waste.

3) In the case of any other waste (including a waste mixture), when the waste exhibits any of the characteristics identified in 721.Subpart C.

- c) Unless and until it meets the criteria of subsection (d) below, a hazardous waste will remain a hazardous waste.

BOARD NOTE: This subsection corresponds with 40 CFR 261.3(c)(1). The Board has codified 40 CFR 261.3(c)(2) at subsection (e) below.

- d) Any solid waste described in subsection (c) above is not a hazardous waste if it meets the following criteria:

1) In the case of any solid waste, it does not exhibit any of the

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characteristics of hazardous waste identified in 721.Subpart C. (However, wastes that exhibit a characteristic at the point of generation may still be subject to the requirements of 35 Ill. Adm. Code 728, even if they no longer exhibit a characteristic at the point of land disposal.)

- 2) In the case of a waste that is a listed waste under 721.Subpart D, a waste that contains a waste listed under 721.Subpart D, or a waste that is a derived from a waste listed in 721.Subpart D, it also has been excluded from subsection (c) above under 35 Ill. Adm. Code 720.120 and 720.122.

e) Specific inclusions and exclusions.

- 1) Except as otherwise provided in subsection (e)(2) below, any solid waste generated from the treatment, storage, or disposal of a hazardous waste, including any sludge, spill residue, ash, emission control dust, or leachate (but not including precipitation run-off), is a hazardous waste. (However, materials that are reclaimed from solid wastes and that are used beneficially are not solid wastes and hence are not hazardous wastes under this provision unless the reclaimed material is burned for energy recovery or used in a manner constituting disposal.)

- 2) The following solid wastes are not hazardous even though they are generated from the treatment, storage, or disposal of a hazardous waste unless they exhibit one or more of the characteristic of hazardous waste:

A) Waste pickle liquor sludge generated by lime stabilization of spent pickle liquor from the iron and steel industry (SIC Codes 331 and 332).

B) Wastes from burning any of the materials exempted from regulation by any of Section 721.106(a)(3)(D) through (a)(3)(F).

C) Nonwastewater residues, such as slag, resulting from high temperature metal recovery (HTMR) processing of K061, K062, or F006 waste in the units identified in this subsection that are disposed of in non-hazardous waste units, provided that these residues meet the generic exclusion levels identified in the tables in this subsection for all constituents and the residues exhibit no characteristics of hazardous waste. The types of units identified are rotary kilns, flame reactors, electric furnaces, plasma arc furnaces, slag reactors, rotary hearth furnace/electric furnace combinations, or the following types of industrial furnaces (as defined in 35 Ill. Adm. Code 720.110): blast furnaces, smelting, melting and refining furnaces (including pyrometallurgical devices such as cupolas, reverberator furnaces, sintering machines, roasters, and foundry furnaces), and other furnaces designated by the Agency pursuant to that definition.



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(i) Testing requirements must be incorporated in a facility's waste analysis plan or a generator's self-implementing waste analysis plan; at a minimum, composite samples of residues must be collected and analyzed quarterly and when the process or operation generating the waste changes.

(ii) Persons claiming this exclusion in an enforcement action will have the burden of proving by clear and convincing evidence that the material meets all of the exclusion requirements. The generic exclusion levels are:

Constituent	Maximum for any single composite sample (mg/L)
Generic exclusion levels for K061 and K062 nonwastewater HTMR residues.	
Antimony.....	0.10
Arsenic.....	0.50
Barium.....	7.6
Beryllium.....	0.010'
Cadmium.....	0.050
Chromium (total).....	0.33
Lead.....	0.15
Mercury.....	0.009
Nickel.....	1.0
Selenium.....	0.16
Silver.....	0.30
Thallium.....	0.020
Vanadium.....	1.26
Zinc.....	70+
Generic exclusion levels for F006 nonwastewater HTMR residues	
Antimony.....	0.10
Arsenic.....	0.50
Barium.....	7.6
Beryllium.....	0.010
Cadmium.....	0.050
Chromium (total).....	0.33
Cyanide (total) (mg/kg).....	1.8
Lead.....	0.15
Mercury.....	0.009
Nickel.....	1.0
Selenium.....	0.16
Silver.....	0.30

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Thallium..... 0.020  
Zinc..... 70+

(iii) A one-time notification and certification must be placed in the facility's files and sent to the Agency (or, for out-of-State shipments, to the appropriate Regional Administrator of USEPA W-S--BPA or the state agency authorized to implement 40 CFR 268 requirements) for K061, K062, or F006 HTMR residues that meet the generic exclusion levels for all constituents and do not exhibit any characteristics and which are sent to RCRA Subtitle D (municipal solid waste landfill) units. The notification and certification that is placed in the generator's or treater's files must be updated if the process or operation generating the waste changes or if the RCRA Subtitle D unit receiving the waste changes. However, the generator or treater need only notify the Agency on an annual basis if such changes occur. Such notification and certification should be sent to the Agency by the end of the calendar year, but no later than December 31. The notification must include the following information: the name and address of the nonhazardous waste management unit receiving the waste shipment; the USEPA W-S--BPA hazardous waste number and treatability group at the initial point of generation; and the treatment standards applicable to the waste at the initial point of generation. The certification must be signed by an authorized representative and must state as follows:

"I certify under penalty of law that the generic exclusion levels for all constituents have been met without impermissible dilution and that no characteristic of hazardous waste is exhibited. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment."

BOARD NOTE: This subsection would normally correspond with 40 CFR 261.3(e), a subsection which has been deleted and marked "reserved" by USEPA W-S--BPA. Rather, this subsection corresponds with 40 CFR 261.3(c)(2), which the Board codified here to comport with codification requirements and enhance clarity.

D) Biological treatment sludge from the treatment of one of the following wastes listed in Section 721.132: organic waste (including heavy ends, still bottoms, light ends, spent solvents, filtrates, and decantates) from the production of

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carbamates and carbamoyl oximes (USEPA Hazardous Waste No. K156) and wastewaters from the production of carbamates and carbamoyl oximes (USEPA Hazardous Waste No. K157).

- f) Notwithstanding subsections (a) through (e) above and provided the debris, as defined in 35 Ill. Adm. Code 728.102, does not exhibit a characteristic identified at 721.Subpart D, the following materials are not subject to regulation under 35 Ill. Adm. Code 720, 721 to 726, 728, or 730:

- 1) Hazardous debris as defined in 35 Ill. Adm. Code 728.102 that has been treated using one of the required extraction or destruction technologies specified in 35 Ill. Adm. Code 728-Table F; persons claiming this exclusion in an enforcement action will have the burden of proving by clear and convincing evidence that the material meets all of the exclusion requirements; or
- 2) Debris as defined in 35 Ill. Adm. Code 728.102 that the Agency, considering the extent of contamination, has determined is no longer contaminated with hazardous waste.

(Source: Amended at 20 Ill. Reg. 10963, effective AUG 01 1996)

## Section 721.104 Exclusions

- a) Materials that are not solid wastes. The following materials are not solid wastes for the purpose of this Part:

- 1) Sewage:
  - A) Domestic sewage; and
  - B) Any mixture of domestic sewage and other waste that passes through a sewer system to publicly-owned treatment works for treatment.
  - C) "Domestic sewage" means untreated sanitary wastes that pass through a sewer system.
- 2) Industrial wastewater discharges that are point source discharges with NPDES permits issued by the Agency pursuant to Section 12(f) of the Environmental Protection Act and 35 Ill. Adm. Code 309.  
BOARD NOTE: This exclusion applies only to the actual point source discharge. It does not exclude industrial wastewaters while they are being collected, stored, or treated before discharge, nor does it exclude sludges that are generated by industrial wastewater treatment.
- 3) Irrigation return flows.
- 4) Source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.)
- 5) Materials subjected to in-situ mining techniques that are not removed from the ground as part of the extraction process.
- 6) Pulp liquors (i.e., black liquor) that are reclaimed in a pulping liquor recovery furnace and then reused in the pulping process, unless accumulated speculatively, as defined in Section

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721.101(c).

- 7) Spent sulfuric acid used to produce virgin sulfuric acid, unless it is accumulated speculatively, as defined in Section 721.101(c).
- 8) Secondary materials that are reclaimed and returned to the original process or processes in which they were generated where they are reused in the production process, provided:
  - A) Only tank storage is involved, and the entire process through completion of reclamation is closed by being entirely connected with pipes or other comparable enclosed means of conveyance;
  - B) Reclamation does not involve controlled flame combustion (such as occurs in boilers, industrial furnaces or incinerators);
  - C) The secondary materials are never accumulated in such tanks for over twelve months without being reclaimed; and
  - D) The reclaimed material is not used to produce a fuel or used to produce products that are used in a manner constituting disposal.
- 9) Wood preserving wastes.
  - A) Spent wood preserving solutions that have been used and which are reclaimed and reused for their original intended purpose; and
  - B) Wastewaters from the wood preserving process that have been reclaimed and which are reused to treat wood.
- 10) Hazardous waste numbers K060, K087, K141, K142, K143, K144, K145, K147, and K148, and any wastes from the coke by-products processes that are hazardous only because they exhibit the toxicity characteristic specified in Section 721.124, when subsequent to generation these materials are recycled to coke ovens, to the tar recovery process as a feedstock to produce coal tar, or are mixed with coal tar prior to the tar's sale or refining. This exclusion is conditioned on there being no land disposal of the waste from the point it is generated to the point it is recycled to coke ovens, to tar recovery, to the tar refining processes, or prior to when it is mixed with coal.
- 11) Nonwastewater splash condenser dross residue from the treatment of hazardous waste number K061 in high temperature metals recovery units, provided it is shipped in drums (if shipped) and not land disposed before recovery.
- 12) Recovered oil from petroleum refining, exploration, and production and from transportation incident thereto that is to be inserted into the petroleum refining process (SIC Code 2911) along with normal process streams prior to crude distillation or catalytic cracking. This exclusion applies to recovered oil stored or transported prior to insertion, except that the oil must not be stored in a manner involving placement on the land and the oil must not be accumulated speculatively before being

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recycled. Recovered oil is oil that has been reclaimed from secondary materials (such as wastewater) generated from normal petroleum refining, exploration and production, and transportation practices. Recovered oil includes oil that is recovered from refinery wastewater collection and treatment systems, oil recovered from oil and gas drilling operations, and oil recovered from waste removed from crude oil storage tanks. Recovered oil does not include (among other things) oil-bearing hazardous waste listed in 721.Subpart D (e.g., K048 through K052, F037, and F038). However, oil recovered from such wastes may be considered recovered oil. Recovered oil also does not include used oil as defined in 35 Ill. Adm. Code 739.100.

b) Solid wastes that are not hazardous wastes. The following solid wastes are not hazardous wastes:

- 1) Household waste, including household waste that has been collected, transported, stored, treated, disposed, recovered (e.g., refuse-derived fuel), or reused. "Household waste" means any waste material (including garbage, trash, and sanitary wastes in septic tanks) derived from households (including single and multiple residences, hotels, and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas). A resource recovery facility managing municipal solid waste shall not be deemed to be treating, storing, disposing of, or otherwise managing hazardous wastes for the purposes of regulation under this Part, if such facility:
  - A) Receives and burns only:
    - i) Household waste (from single and multiple dwellings, hotels, motels, and other residential sources); and
    - ii) Solid waste from commercial or industrial sources that does not contain hazardous waste, and
  - B) Such facility does not accept hazardous waste and the owner or operator of such facility has established contractual requirements or other appropriate notification or inspection procedures to assure that hazardous wastes are not received at or burned in such facility.

BOARD NOTE: The U.S. Supreme Court determined, in *City of Chicago v. Environmental Defense Fund, Inc.*, \_\_\_ U.S. \_\_\_, 114 S. Ct. 1588 (May-27 1994), that this exclusion and RCRA section 3001(i) (42 U.S.C. 6921(i)) do not exclude the ash from facilities covered by this subsection from regulation as a hazardous waste. At 59 Fed. Reg. 29372 (June 7, 1994), USEPA 8-9--BPA granted facilities managing ash from such facilities that is determined a hazardous waste under 721.Subpart C until December 7, 1994 to file a Part A permit application pursuant to 35 Ill. Adm. Code 703.181. At 60 Fed. Reg. 6666 (Feb. 3, 1995), USEPA stated that it interpreted that the point at which ash becomes subject to RCRA Subtitle C regulation is when that material

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leaves the combustion building (including connected air pollution control equipment).

2) Solid wastes generated by any of the following that are returned to the soil as fertilizers:

- A) The growing and harvesting of agricultural crops, or
  - B) The raising of animals, including animal manures.
- 3) Mining overburden returned to the mine site.
- 4) Fly ash waste, bottom ash waste, slag waste, and flue gas emission control waste generated primarily from the combustion of coal or other fossil fuels, except as provided in 35 Ill. Adm. Code 726.212 for facilities that burn or process hazardous waste.
- 5) Drilling fluids, produced waters, and other wastes associated with the exploration, development, or production of crude oil, natural gas, or geothermal energy.

6) Chromium wastes:

- A) Wastes that fail the test for the toxicity characteristic (Section 721.124 and Appendix B) because chromium is present or which are listed in 721.Subpart D due to the presence of chromium, that do not fail the test for the toxicity characteristic for any other constituent or which are not listed due to the presence of any other constituent, and that do not fail the test for any other characteristic, if it is shown by a waste generator or by waste generators that:
  - i) The chromium in the waste is exclusively (or nearly exclusively) trivalent chromium;
  - ii) The waste is generated from an industrial process that uses trivalent chromium exclusively (or nearly exclusively) and the process does not generate hexavalent chromium; and
  - iii) The waste is typically and frequently managed in non-oxidizing environments.

B) Specific wastes that meet the standard in subsection (b)(6)(A) above (so long as they do not fail the test for the toxicity characteristic for any other constituent and do not exhibit any other characteristic) are:

- i) Chrome (blue) trimmings generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish, hair save/chrome tan/retan/wet finish, retan/wet finish, no beamhouse, through-the-blue, and shearing;
- ii) Chrome (blue) shavings generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish, hair save/chrome tan/retan/wet finish, retan/wet finish, no beamhouse, through-the-blue, and shearing;
- iii) Buffing dust generated by the following subcategories of the leather tanning and finishing industry: hair



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pulp/chrome tan/retan/wet finish, hair save/chrome tan/retan/wet finish, retan/wet finish, no beamhouse, through-the-blue;

iv) Sewer screenings generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish, hair save/chrome tan/retan/wet finish, retan/wet finish, no beamhouse, through-the-blue, and shearing;

v) Wastewater treatment sludges generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish, hair save/chrome tan/retan/wet finish, retan/wet finish, no beamhouse, through-the-blue, and shearing;

vi) Wastewater treatment sludges generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish, hair save/chrome tan/retan/wet finish, and through-the-blue;

vii) Waste scrap leather from the leather tanning industry, the shoe manufacturing industry, and other leather product manufacturing industries; and

viii) Wastewater treatment sludges from the production of titanium dioxide pigment using chromium-bearing ores by the chloride process.

7) Solid waste from the extraction, beneficiation, and processing of ores and minerals (including coal, phosphate rock, and overburden from the mining of uranium ore), except as provided by 35 Ill. Adm. Code 726.212 for facilities that burn or process hazardous waste. For purposes of this subsection, beneficiation of ores and minerals is restricted to the following activities: crushing, grinding, washing, dissolution, crystallization, filtration, sorting, sizing, drying, sintering, pelletizing, briquetting, calcining to remove water or carbon dioxide, roasting, autoclaving or chlorination in preparation for leaching (except where the roasting or autoclaving or chlorination and leaching sequence produces a final or intermediate product that does not undergo further beneficiation or processing), gravity concentration, magnetic separation, electrostatic separation, floatation, ion exchange, solvent extraction, electrowinning, precipitation, amalgamation, and heap, dump, vat tank, and in situ leaching. For the purposes of this subsection, solid waste from the processing of ores and minerals includes only the following wastes:

- A) Slag from primary copper processing;
- B) Slag from primary lead processing;
- C) Red and brown muds from bauxite refining;
- D) Phosphogypsum from phosphoric acid production;
- E) Slag from elemental phosphorus production;
- F) Gasifier ash from coal gasification;

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- G) Process wastewater from coal gasification;
- H) Calcium sulfate wastewater treatment plant sludge from primary copper processing;
- I) Slag tailings from primary copper processing;
- J) Fluorogypsum from hydrofluoric acid production;
- K) Process wastewater from hydrofluoric acid production;
- L) Air pollution control dust or sludge from iron blast furnaces;
- M) Iron blast furnace slag;
- N) Treated residue from roasting and leaching of chrome ore;
- O) Process wastewater from primary magnesium processing by the anhydrous process;
- P) Process wastewater from phosphoric acid production;
- Q) Basic oxygen furnace and open hearth furnace air pollution control dust or sludge from carbon steel production;
- R) Basic oxygen furnace and open hearth furnace slag from carbon steel production;
- S) Chloride processing waste solids from titanium tetrachloride production; and
- T) Slag from primary zinc smelting.

8) Cement kiln dust waste, except as provided by 35 Ill. Adm. Code 726.212 for facilities that burn or process hazardous waste.

9) Solid waste that consists of discarded arsenical-treated wood or wood products that fails the test for the toxicity characteristic for hazardous waste codes D004 through D017 and which is not a hazardous waste for any other reason if the waste is generated by persons that utilize the arsenical-treated wood and wood products for these materials' intended end use.

10) Petroleum-contaminated media and debris that fail the test for the toxicity characteristic of Section 721.124 (hazardous waste codes D018 through D043 only) and which are subject to corrective action regulations under 35 Ill. Adm. Code 731.

11) This subsection corresponds with 40 CFR 261.4(b)(11), which expired by its own terms on January 25, 1993. This statement maintains structural parity with USEPA 8-G--BPA regulations.

12) Used chlorofluorocarbon refrigerants from totally enclosed heat transfer equipment, including mobile air conditioning systems, mobile refrigeration, and commercial and industrial air conditioning and refrigeration systems that uses chlorofluorocarbons as the heat transfer fluid in a refrigeration cycle, provided the refrigerant is reclaimed for further use.

13) Non-terne plated used oil filters that are not mixed with wastes listed in 721.Subpart D, if these oil filters have been gravity hot-drained using one of the following methods:

- A) Puncturing the filter anti-drain back valve or the filter dome end and hot-draining;
- B) Hot-draining and crusing;
- C) Dismantling and hot-draining; or

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D) Any other equivalent hot-draining method that will remove used oil.

14) Used oil re-refining distillation bottoms that are used as feedstock to manufacture asphalt products.

c) Hazardous wastes that are exempted from certain regulations. A hazardous waste that is generated in a product or raw material storage tank, a product or raw material transport vehicle or vessel, a product or raw material pipeline, or in a manufacturing process unit, or an associated non-waste-treatment manufacturing unit, is not subject to regulation under 35 Ill. Adm. Code 702, 703, 705, and 722 through 725, and 728 or to the notification requirements of Section 3010 of RCRA until it exits the unit in which it was generated, unless the unit is a surface impoundment, or unless the hazardous waste remains in the unit more than 90 days after the unit ceases to be operated for manufacturing or for storage or transportation of product or raw materials.

d) Samples.

1) Except as provided in subsection (d)(2) below, a sample of solid waste or a sample of water, soil, or air that is collected for the sole purpose of testing to determine its characteristics or composition is not subject to any requirements of this Part or 35 Ill. Adm. Code 702, 703, 705 and 722 through 728. The sample qualifies when:

A) The sample is being transported to a laboratory for the purpose of testing;

B) The sample is being transported back to the sample collector after testing;

C) The sample is being stored by the sample collector before transport to a laboratory for testing;

D) The sample is being stored in a laboratory before testing;

E) The sample is being returned to the sample collector; or

F) The sample is being stored temporarily in the laboratory after testing for a specific purpose (for example, until conclusion of a court case or enforcement action where further testing of the sample may be necessary).

2) In order to qualify for the exemption in subsection (d)(1)(A) or (d)(1)(B) above, a sample collector shipping samples to a laboratory and a laboratory returning samples to a sample collector shall:

A) Comply with U.S. Department of Transportation (DOT), U.S. Postal Service (USPS), or any other applicable shipping requirements; or

B) Comply with the following requirements if the sample collector determines that DOT, USPS, or other shipping requirements do not apply to the shipment of the sample:

i) Assume that the following information accompanies the sample: The sample collector's name, mailing address,

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and telephone number; the laboratory's name, mailing address, and telephone number; the quantity of the sample; the date of the shipment; and a description of the sample.

ii) Package the sample so that it does not leak, spill, or vaporize from its packaging.

3) This exemption does not apply if the laboratory determines that the waste is hazardous but the laboratory is no longer meeting any of the conditions stated in subsection (d)(1) above.

e) Treatability study samples.

1) Except as is provided in subsection (e)(2) below, a person that generates or collects samples for the purpose of conducting treatability studies, as defined in 35 Ill. Adm. Code 720.110, are not subject to any requirement of 35 Ill. Adm. Code 721 through 723 or to the notification requirements of Section 3010 of the Resource Conservation and Recovery Act. Nor are such samples included in the quantity determinations of Section 721.105 and 35 Ill. Adm. Code 722.134(d) when:

A) The sample is being collected and prepared for transportation by the generator or sample collector;

B) The sample is being accumulated or stored by the generator or sample collector prior to transportation to a laboratory or testing facility; or

C) The sample is being transported to the laboratory or testing facility for the purpose of conducting a treatability study.

2) The exemption in subsection (e)(1) above is applicable to samples of hazardous waste being collected and shipped for the purpose of conducting treatability studies provided that:

A) The generator or sample collector uses (in "treatability studies") no more than 10,000 kg of media contaminated with non-acute hazardous waste, 1000 kg of non-acute hazardous waste other than contaminated media, 1 kg of acute hazardous waste, or 2500 kg of media contaminated with acute hazardous waste for each process being evaluated for each generated wastestream;

B) The mass of each shipment does not exceed 10,000 kg; the 10,000 kg quantity may be all media contaminated with non-acute hazardous waste, or may include 2500 kg of media contaminated with acute hazardous waste, 1000 kg of hazardous waste, and 1 kg of acute hazardous waste;

C) The sample must be packaged so that it does not leak, spill, or vaporize from its packaging during shipment and the requirements of subsections (e)(2)(C)(i) or (e)(2)(C)(ii), below, are met.

i) The transportation of each sample shipment complies with U.S. Department of Transportation (DOT), U.S. Postal Service (USPS), or any other applicable shipping requirements; or



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- ii) If the DOT, USPS, or other shipping requirements do not apply to the shipment of the sample, the following information must accompany the sample: The name, mailing address, and telephone number of the originator of the sample; the name, address, and telephone number of the facility that will perform the treatability study; the quantity of the sample; the date of the shipment; and, a description of the sample, including its USEPA 8-G-BPA hazardous waste number;
- D) The sample is shipped to a laboratory or testing facility that is exempt under subsection (f) below, or has an appropriate RCRA permit or interim status;
- E) The generator or sample collector maintains the following records for a period ending three years after completion of the treatability study:
- Copies of the shipping documents;
  - A copy of the contract with the facility conducting the treatability study;
  - Documentation showing: The amount of waste shipped under this exemption; the name, address, and USEPA 8-G-BPA identification number of the laboratory or testing facility that received the waste; the date the shipment was made; and whether or not unused samples and residues were returned to the generator; and
  - The generator reports the information required in subsection (e)(2)(E)(iii) above in its report under 35 Ill. Adm. Code 722.141.
- 3) The Agency may grant requests on a case-by-case basis for up to an additional two years for treatability studies involving bioremediation. The Agency may grant requests, on a case-by-case basis, for quantity limits in excess of those specified in subsection (e)(2)(A) and (e)(2)(B) above and (f)(4) below, for up to an additional 5000 kg of media contaminated with non-acute hazardous waste, 500 kg of non-acute hazardous waste, 2500 kg of media contaminated with acute hazardous waste, and 1 kg of acute hazardous waste:
- In response to requests for authorization to ship, store, and conduct further treatability studies in advance of commencing treatability studies. Factors to be considered in reviewing such requests include the nature of the technology, the type of process (e.g., batch versus continuous), the size of the unit undergoing testing (particularly in relation to scale-up considerations), the time or quantity of material required to reach steady-state operating conditions, or test design considerations, such as mass balance calculations.
  - In response to requests for authorization to ship, store, and conduct treatability studies on additional quantities

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- after initiation or completion of initial treatability studies when: There has been an equipment or mechanical failure during the conduct of the treatability study, there is need to verify the results of a previously-conducted treatability study, there is a need to study and analyze alternative techniques within a previously-evaluated treatment process, or there is a need to do further evaluation of an ongoing treatability study to determine final specifications for treatment.
- C) The additional quantities allowed and timeframes allowed in subsections (e)(3)(A) and (e)(3)(B) above are subject to all the provisions in subsections (e)(1) and (e)(2)(B) through (e)(2)(F) above. The generator or sample collector shall apply to the Agency and provide in writing the following information:
- The reason why the generator or sample collector requires additional time or quantity of sample for the treatability study evaluation and the additional time or quantity needed;
  - Documentation accounting for all samples of hazardous waste from the wastestream that have been sent for or undergone treatability studies, including the date each previous sample from the waste stream was shipped, the quantity of each previous shipment, the laboratory or testing facility to which it was shipped, what treatability study processes were conducted on each sample shipped, and the available results of each treatability study;
  - A description of the technical modifications or change in specifications that will be evaluated and the expected results;
  - If such further study is being required due to equipment or mechanical failure, the applicant shall include information regarding the reason for the failure or breakdown and also include what procedures or equipment improvements have been made to protect against further breakdowns; and
  - Such other information as the Agency determines is necessary.
- 4) Final Agency determinations pursuant to this subsection may be appealed to the Board.
- f) Samples undergoing treatability studies at laboratories or testing facilities. Samples undergoing treatability studies and the laboratory or testing facility conducting such treatability studies (to the extent such facilities are not otherwise subject to RCRA requirements) are not subject to any requirement of this Part, or of 35 Ill. Adm. Code 702, 703, 705, 722 through 726, and 728, or to the notification requirements of Section 3010 of the Resource Conservation



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and Recovery Act, provided that the requirements of subsections (f)(1) through (f)(11) below are met. A mobile treatment unit may qualify as a testing facility subject to subsections (f)(1) through (f)(11) below. Where a group of mobile treatment units are located at the same site, the limitations specified in subsections (f)(1) through (f)(11) below apply to the entire group of mobile treatment units collectively as if the group were one mobile treatment unit.

1) No less than 45 days before conducting treatability studies, the facility notifies the Agency in writing that it intends to conduct treatability studies under this subsection.

2) The laboratory or testing facility conducting the treatability study has a USEPA 8-S--EPA identification number.

3) No more than a total of 10,000 kg of "as received" media contaminated with non-acute hazardous waste, 2500 kg of media contaminated with acute hazardous waste, or 250 kg of other "as received" hazardous waste is subject to initiation of treatment in all treatability studies in any single day. "As received" waste refers to the waste as received in the shipment from the generator or sample collector.

4) The quantity of "as received" hazardous waste stored at the facility for the purpose of evaluation in treatability studies does not exceed 10,000 kg, the total of which can include 10,000 kg of media contaminated with non-acute hazardous waste, 2500 kg of media contaminated with acute hazardous waste, 1000 kg of non-acute hazardous wastes other than contaminated media, and 1 kg of acute hazardous waste. This quantity limitation does not include treatment materials (including nonhazardous solid waste) added to "as received" hazardous waste.

5) No more than 90 days have elapsed since the treatability study for the sample was completed, or no more than one year (two years for treatability studies involving bioremediation) has elapsed since the generator or sample collector shipped the sample to the laboratory or testing facility, whichever date first occurs. Up to 500 kg of treated material from a particular waste stream from treatability studies may be archived for future evaluation up to five years from the date of initial receipt. Quantities of materials archived are counted against the total storage limit for the facility.

6) The treatability study does not involve the placement of hazardous waste on the land or open burning of hazardous waste.

7) The facility maintains records three years following completion of each study that show compliance with the treatment rate limits and the storage time and quantity limits. The following specific information must be included for each treatability study conducted:

- A) The name, address, and USEPA 8-S--EPA identification number of the generator or sample collector of each waste sample;
- B) The date the shipment was received;

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- C) The quantity of waste accepted;
- D) The quantity of "as received" waste in storage each day;
- E) The date the treatment study was initiated and the amount of "as received" waste introduced to treatment each day;
- F) The date the treatability study was concluded;
- G) The date any unused sample or residues generated from the treatability study were returned to the generator or sample collector or, if sent to a designated facility, the name of the facility and the USEPA 8-S--EPA identification number.

8) The facility keeps, on-site, a copy of the treatability study contract and all shipping papers associated with the transport of treatability study samples to and from the facility for a period ending three years from the completion date of each treatability study.

9) The facility prepares and submits a report to the Agency by March 15 of each year that estimates the number of studies and the amount of waste expected to be used in treatability studies during the current year, and includes the following information for the previous calendar year:

- A) The name, address, and USEPA 8-S--EPA identification number of the facility conducting the treatability studies;
- B) The types (by process) of treatability studies conducted;
- C) The names and addresses of persons for whom studies have been conducted (including their USEPA 8-S--EPA identification numbers);
- D) The total quantity of waste in storage each day;
- E) The quantity and types of waste subjected to treatability studies;
- F) When each treatability study was conducted; and
- G) The final disposition of residues and unused sample from each treatability study.

10) The facility determines whether any unused sample or residues generated by the treatability study are hazardous waste under Section 721.103 and, if so, are subject to 35 Ill. Adm. Code 702, 703, and 721 through 728, unless the residues and unused samples are returned to the sample originator under the subsection (e) exemption above.

11) The facility notifies the Agency by letter when the facility is no longer planning to conduct any treatability studies at the site.

(Source: ADOPTED 1996 at 20 Ill. Reg. 10963, effective \_\_\_\_\_)

Section 721.105 Special Requirements for Hazardous Waste Generated by Small Quantity Generators

- a) A generator is a conditionally exempt small quantity generator in a

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calendar month if it generates no more than 100 kilograms of hazardous waste in that month. 35 Ill. Adm. Code 700 explains the relation of this to the 100 kg/mo exception of 35 Ill. Adm. Code 809.

- b) Except for those wastes identified in subsections (e), (f), (g) and (j) below, a conditionally exempt small quantity generator's hazardous wastes are not subject to regulation under 35 Ill. Adm. Code 702, 703, 705 and 722 through 726 and 728, and the notification requirements of Section 3010 of Resource Conservation and Recovery Act, provided the generator complies with the requirements of subsections (f), (g) and (j) below.

- c) When making ~~Hazardous waste that is not subject to regulation or that is subject only to 35 Ill. Adm. Code 722-111-722-112-722-140(c)-and 722-141-13-is not included in the quantity determinations of this Part and 35 Ill. Adm. Code 722, the generator must include all hazardous waste that it generates, except the following hazardous waste: through 726--and--728,--and-is-not-subject-to-any-requirements-of-these-Parts--Hazardous waste--that--is--subject--to--the--requirements--of--Section 721-106(b)-and-(c)-and-35-ill-Adm-Code-726-Subparts-D-7-B-and-P-is included in the quantity determinations of this Part-and-is-subject-to the-requirements-of-this-Part-and-35-ill-Adm-Code--722--through--726 and-728.~~

- 1) Hazardous waste that is except from regulation under Section 721.104(c) through (f), 721.106(a)(3), 721.107(a)(1), or 721.108;

- 2) Hazardous waste that is managed immediately upon generation only in on-site elementary neutralization units, wastewater treatment units, or totally enclosed treatment facilities, as defined in 35 Ill. Adm. Code 720.110;

- 3) Hazardous waste that is recycled, without prior storage or accumulation, only in an on-site process subject to regulation under Section 721.106(c)(2);

- 4) Hazardous waste that is used oil managed under the requirements of Section 721.106(a)(4) and 35 Ill. Adm. Code 739;

- 5) Hazardous waste that is spent lead-acid batteries managed under the requirements of 35 Ill. Adm. Code 726 Subpart G; and

- 6) Hazardous waste that is universal waste managed under Section 721.109 and 35 Ill. Adm. Code 733.

- d) In determining the quantity of hazardous waste it generates, a generator need not include:

- 1) Hazardous waste when it is removed from on-site storage; or  
 2) Hazardous waste produced by on-site treatment (including reclamation) of its hazardous waste so long as the hazardous waste that is treated was counted once; or  
 3) Spent materials that are generated, reclaimed and subsequently reused on-site, so long as such spent materials have been counted once.

- e) If a generator generates acute hazardous waste in a calendar month in quantities greater than set forth below, all quantities of that acute hazardous waste are subject to full regulation under 35 Ill. Adm. Code

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702, 703, 705 and 722 through 726 and 728, and the notification requirements of Section 3010 of the Resource Conservation and Recovery Act:

- 1) A total of one kilogram of one or more of the acute hazardous wastes listed in Section ~~Sections~~ 721.131, 721.132, or 721.133(e); or  
 2) A total of 100 kilograms of any residue or contaminated soil, waste or other debris resulting from the clean-up of a spill, into or on any land or water, of any one or more of the acute hazardous wastes listed in Section ~~Sections~~ 721.131, 721.132, or 721.133(e).

BOARD NOTE: "Full regulation" means those regulations applicable to generators of greater than 1000 kg of non-acute hazardous waste in a calendar month.

- f) In order for acute hazardous wastes generated by a generator of acute hazardous wastes in quantities equal to or less than those set forth in subsection (e)(1) or (e)(2) above to be excluded from full regulation under this Section, the generator must comply with the following requirements:

- 1) 35 Ill. Adm. Code 722.111.

- 2) The generator may accumulate acute hazardous waste on-site. If the generator accumulates at any time acute hazardous wastes in quantities greater than set forth in subsection ~~subsections~~ (e)(1) or (e)(2) above, all of those accumulated wastes are subject to regulation under 35 Ill. Adm. Code 702, 703, 705 and 722 through 726 and 728, and the applicable notification requirements of Section 3010 of the Resource Conservation and Recovery Act. The time period of 35 Ill. Adm. Code 722.134(a), for accumulation of wastes on-site, begins when the accumulated wastes exceed the applicable exclusion limit.

- 3) A conditionally exempt small quantity generator may either treat or dispose of its acute hazardous waste in an on-site facility, or ensure delivery to an off-site storage, treatment or disposal facility, provided that if the on-site or off-site facility is located in the United States, it ~~either-of-which fulfills any of the following conditions, if located in the United States, it is:~~

- A) The facility is permitted ~~permitted~~ under 35 Ill. Adm. Code 703;

- B) The facility has an interim status under 35 Ill. Adm. Code 703 and 725;

- C) The facility is authorized ~~Authorized~~ to manage hazardous waste by a state ~~State~~ with a hazardous waste management program approved by USEPA pursuant to 40 CFR 271 H-Sr-BPA;

- D) The facility is permitted ~~permitted~~, licensed or registered by a state ~~State~~ to manage municipal or industrial solid waste; or

- E) The facility is a A-facility that ~~which~~:

- i) Beneficially uses or reuses or legitimately recycles or



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- reclaims its waste; or
- ii) Treats its waste prior to beneficial use or reuse, or legitimate recycling or reclamation; or-

E) For universal waste managed under 35 Ill. Adm. Code 733, the facility is a universal waste handler or destination facility subject to the requirements of 35 Ill. Adm. Code 733.

g) In order for hazardous waste generated by a conditionally exempt small quantity generator in quantities of less than 100 kilograms of hazardous waste during a calendar month to be excluded from full regulation under this Section, the generator must comply with the following requirements:

- 1) 35 Ill. Adm. Code 722.111;
- 2) The conditionally exempt small quantity generator may accumulate hazardous waste on-site. If it accumulates at any time more than a total of 1000 kilograms of the generator's hazardous waste, all of those accumulated wastes are subject to regulation under the special provisions of 35 Ill. Adm. Code 722 applicable to generators of between 100 kg and 1000 kg of hazardous waste in a calendar month as well as the requirements of 35 Ill. Adm. Code 702, 703, 705 and 723 through 726 and 728, and the applicable notification requirements of Section 3010 of the Resource Conservation and Recovery Act. The time period of 35 Ill. Adm. Code 722.134(d) for accumulation of wastes on-site begins for a small quantity generator when the accumulated wastes exceed 1000 kilograms;

3) A conditionally exempt small quantity generator may either treat or dispose of its hazardous waste in an on-site facility, or ensure delivery to an off-site storage, treatment or disposal facility, provided that the on-site or off-site facility is located in the United States, it either of which fulfills any of the following conditions--if located in the United States--is:

- A) The facility is permitted under 35 Ill. Adm. Code 702 and 703;
- B) The facility has in interim status under 35 Ill. Adm. Code 703 and 725;
- C) The facility is authorized to manage hazardous waste by a state with a hazardous waste management program approved by USEPA H-S-EPA under 40 CFR 271 (1986);
- D) The facility is permitted, licensed or registered by a state to manage municipal or industrial solid waste; or
- E) The facility is a facility that which:
  - i) Beneficially uses or re-uses, or legitimately recycles or reclaims the small quantity generator's waste; or
  - ii) Treats its waste prior to beneficial use or re-use, or legitimate recycling or reclamation; or-
- F) For universal waste managed under 35 Ill. Adm. Code 733, the

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facility is a universal waste handler or destination facility subject to the requirements of 35 Ill. Adm. Code 733.

h) Hazardous waste subject to the reduced requirements of this Section may be mixed with non-hazardous waste and remain subject to these reduced requirements even though the resultant mixture exceeds the quantity limitations identified in this Section, unless the mixture meets any of the characteristics of hazardous wastes identified in Subpart C.

i) If a small quantity generator mixes a solid waste with a hazardous waste that exceeds a quantity exclusion level of this Section, the mixture is subject to full regulation.

j) If a conditionally exempt small quantity generator's hazardous wastes are mixed with used oil, the mixture is subject to 35 Ill. Adm. Code 739, if it is destined to be burned for energy recovery. Any material produced from such a mixture by processing, blending, or other treatment is also so regulated if it is destined to be burned for energy recovery.

(Source: Amended at 20 Ill. Reg. 10963, effective AUG 01 1996)

## Section 721.106 Requirements for Recyclable Materials

a) Recyclable materials:

- 1) Hazardous wastes that are recycled are subject to the requirements for generators, transporters, and storage facilities of subsections (b) and (c) below, except for the materials listed in subsections (a)(2) and (a)(3) below. Hazardous wastes that are recycled will be known as "recyclable materials".
- 2) The following recyclable materials are not subject to the requirements of this Section but are regulated under 35 Ill. Adm. Code 726.Subparts C through H and all applicable provisions in 35 Ill. Adm. Code 702, 703, and 705.

- A) Recyclable materials used in a manner constituting disposal (35 Ill. Adm. Code 726.Subpart C);
  - B) Hazardous wastes burned for energy recovery in boilers and industrial furnaces that are not regulated under 35 Ill. Adm. Code 724.Subpart O or 725.Subpart O (35 Ill. Adm. Code 726.Subpart H);
  - C) Recyclable materials from which precious metals are reclaimed (35 Ill. Adm. Code 726.Subpart F);
  - D) Spent lead-acid batteries that are being reclaimed (35 Ill. Adm. Code 726.Subpart G).
- 3) The following recyclable materials are not subject to regulation under 35 Ill. Adm. Code 722 through 726, 728, or 702, 703, or 705 and are not subject to the notification requirements of Section 3010 of the Resource Conservation and Recovery Act:



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A) Industrial ethyl alcohol that is reclaimed except that, unless provided otherwise in an international agreement as specified in 35 Ill. Adm. Code 722.158:

- i) A person initiating a shipment for reclamation in a foreign country and any intermediary arranging for the shipment shall comply with the requirements applicable to a primary exporter in 35 Ill. Adm. Code 722.153; 722.156(a)(1) through (a)(4), (a)(6), and (b); and 722.157; shall export such materials only upon consent of the receiving country and in conformance with the USEPA W-9--BPA Acknowledgment of Consent, as defined in 35 Ill. Adm. Code 722.Subpart E; and shall provide a copy of the USEPA W-9--BPA Acknowledgment of Consent to the shipment to the transporter transporting the shipment for export;

- ii) Transporters transporting a shipment for export shall not accept a shipment if the transporter knows that the shipment does not conform to the USEPA W-9--BPA Acknowledgment of Consent, shall ensure that a copy of the USEPA W-9--BPA Acknowledgment of Consent accompanies the shipment, and shall ensure that it is delivered to the facility designated by the person initiating the shipment;

B) ~~Used-batteries-for-used-battery-cells; returned-to-a-battery manufacturer-for-regeneration;~~

B)e) Scrap metal;

C)f) Fuels produced from the refining of oil-bearing hazardous wastes along with normal process streams at a petroleum refining facility if such wastes result from normal petroleum refining, production, and transportation practices (this exemption does not apply to fuels produced from oil recovered from oil-bearing hazardous waste where such recovered oil is already excluded under Section 721.104(a)(12));

D) ~~Petroleum refining wastes.~~

- i) Hazardous waste fuel produced from oil-bearing hazardous wastes from petroleum refining, production, or transportation practices or produced from oil reclaimed from such hazardous wastes, where such hazardous wastes are reintroduced into a process that does not use distillation or does not produce products from crude oil, so long as the resulting fuel meets the used oil specification under 35 Ill. Adm. Code 726.140(e) and so long as no other hazardous wastes are used to produce the hazardous waste fuel;

- ii) Hazardous waste fuel produced from oil-bearing hazardous waste from petroleum refining production, and transportation practices, where such hazardous wastes

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are reintroduced into a refining process after a point at which contaminants are removed, so long as the fuel meets the used oil fuel specification under 35 Ill. Adm. Code 726.140(e); and

- iii) Oil reclaimed from oil-bearing hazardous wastes from petroleum refining, production, and transportation practices, which reclaimed oil is burned as a fuel without reintroduction to a refining process, so long as the reclaimed oil meets the used oil fuel specification under 35 Ill. Adm. Code 726.140(e); and

E) ~~P~~ Petroleum coke produced from petroleum refinery hazardous wastes containing oil by the same person that generated the wastes unless the resulting coke product exceeds one or more of the characteristics of hazardous waste in 721.Subpart C.

- 4) Used oil that is recycled and is also a hazardous waste solely because it exhibits a hazardous characteristic is not subject to the requirements of 35 Ill. Adm. Code 720 through 728, but it is regulated under 35 Ill. Adm. Code 739. Used oil that is recycled includes any used oil that is reused for any purpose following its original use (including the purpose for which the oil was originally used). Such term includes, but is not limited to, oil that is re-refined, reclaimed, burned for energy recovery, or reprocessed.

- b) Generators and transporters of recyclable materials are subject to the applicable requirements of 35 Ill. Adm. Code 722 and 723 and the notification requirements under Section 3010 of the Resource Conservation and Recovery Act, except as provided in subsection (a) above.

- c) Storage and recycling:

- 1) Owners or operators of facilities that store recyclable materials before they are recycled are regulated under all applicable provisions of 35 Ill. Adm. Code 702, 703, and 705; 724.Subparts A through L, AA, and BB; and 725.Subparts A through L, AA, and BB; 726; 728; and the notification requirement under Section 3010 of the Resource Conservation and Recovery Act, except as provided in subsection (a) above. (The recycling process itself is exempt from regulation, except as provided in subsection (d) below.)

- 2) Owners or operators of facilities that recycle recyclable materials without storing them before they are recycled are subject to the following requirements, except as provided in subsection (a) above:

A) Notification requirements under Section 3010 of the Resource Conservation and Recovery Act,

B) 35 Ill. Adm. Code 725.171 and 725.172 (dealing with the use of the manifest and manifest discrepancies), and

C) Subsection (d) below.

- d) Owners or operators of facilities required to have a RCRA permit

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pursuant to 35 Ill. Adm. Code 703 with hazardous waste management units that recycle hazardous wastes are subject to 35 Ill. Adm. Code 724.Subparts AA and BB and 725.Subparts AA and BB.

(Source: Amended at 20 Ill. Reg. 10963, effective AUG 01 1996)

721.109 Requirements for Universal Waste

The wastes listed in this Section are exempt from regulation under 35 Ill. Adm. Code 702 through 705, 722 through 726, and 728, except as specified in 35 Ill. Adm. Code 733, and are therefore not fully regulated as hazardous waste. The wastes listed in this Section are subject to regulation under 35 Ill. Adm. Code 733:

- a) Batteries, as described in 35 Ill. Adm. Code 733.102;
- b) Pesticides, as described in 35 Ill. Adm. Code 733.103; and
- c) Thermostats, as described in 35 Ill. Adm. Code 733.104.

(Source: Added at 20 Ill. Reg. 10963, effective AUG 01 1996)

## SUBPART D: LISTS OF HAZARDOUS WASTE

Section 721.130 General

- a) A solid waste is a hazardous waste if it is listed in this Subpart, unless it has been excluded from this list under 35 Ill. Adm. Code 720.120 and 720.122.

- b) The basis for listing the classes or types of wastes listed in this Subpart is indicated by employing one or more of the Hazard Codes:

- 1) Hazard Codes:
  - A) Ignitable Waste (I)
  - B) Corrosive Waste (C)
  - C) Reactive Waste (R)
  - D) Toxicity Characteristic Waste (E)
  - E) Acute Hazardous Waste (H)
  - F) Toxic Waste (T)

- 2) Appendix G identifies the constituent which caused the Administrator to list the waste as a Toxicity Characteristic Waste (E) or Toxic Waste (T) in Sections 721.131 and 721.132.

- c) Each hazardous waste listed in this Subpart is assigned an EPA Hazardous Waste Number which precedes the name of the waste. This number must be used in complying with the notification requirements of Section 3010 of the Act and certain recordkeeping and reporting requirements under 35 Ill. Adm. Code 702, 703, 722 through 725 and 728 and 40 CFR 122.

- d) The following hazardous wastes listed in Sections 721.131 or 721.132 are subject to the exclusion limits for acute hazardous wastes

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established in Section 721.105: hazardous wastes numbers F020, F021, F022, F023, F026 and F027.

(Source: Amended at 20 Ill. Reg. 10963, effective AUG 01 1996)

Section 721.131 Hazardous Wastes From Nonspecific Sources

- a) The following solid wastes are listed hazardous wastes from non-specific sources unless they are excluded under 35 Ill. Adm. Code 720.120 and 720.122 and listed in Appendix I.

EPA Hazardous Waste No. Industry and Hazardous Waste Hazard Code

F001 The following spent halogenated solvents used in

degreasing: tetrachloroethylene, trichloroethylene, methylene chloride, 1,1,1-trichloroethane, carbon tetrachloride and chlorinated fluorocarbons; all spent solvent mixtures and blends used in degreasing containing, before use, a total of ten percent or more (by volume) of one or more of the above halogenated solvents or those solvents listed in F002, F004 or F005; and still bottoms from the recovery of these spent solvents and solvent mixtures.

The following spent halogenated (T)

solvents: tetrachloroethylene, methylene chloride, trichloroethylene, 1,1,1-trichloroethane, chlorobenzene, 1,1,2-trichloro-1,2,2-trifluoroethane, orthodichlorobenzene, trichlorofluoromethane and 1,1,2-trichloroethane; all spent solvent mixtures and blends containing, before use, a total of ten percent or more (by volume) of one or more of the above halogenated solvents or those solvents listed in F001, F004 or F005; and still bottoms from the recovery of these spent solvents and solvent mixtures.

The following spent non-halogenated solvents: xylene, acetone, ethyl acetate, ethyl benzene, ethyl ether, methyl isobutyl ketone, n-butyl alcohol, cyclohexanone and methanol; all spent solvent mixtures and blends containing, before use, only the above spent non-halogenated solvents; and all spent solvent mixtures and blends containing, before use, one or more of the above non-halogenated solvents and a total of ten percent or more (by volume) of one or more of those solvents listed in F001, F002, F004 or F005; and still bottoms from the recovery of these spent solvents and solvent mixtures. (I)

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EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code	EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
F004	The following spent non-halogenated solvents: cresols and cresylic acid and nitrobenzene; all spent solvent mixtures and blends containing, before use, a total of ten percent or more (by volume) of one or more of the above non-halogenated solvents or those solvents listed in F001, F002 or F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.	(T)	F019	Wastewater treatment sludges from the chemical conversion coating of aluminum except from zirconium phosphating in aluminum can washing when such phosphating is an exclusive conversion coating process.	(T)
F005	The following spent non-halogenated solvents: toluene, methyl ethyl ketone, carbon disulfide, isobutanol, pyridine, benzene, 2-ethoxyethanol and 2-nitropropane; all spent solvent mixtures and blends, containing, before use, a total of ten percent or more (by volume) of one or more of the above non-halogenated solvents or those solvents listed in F001, F002 or F004; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.	(I, T)	F020	Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production or manufacturing use (as a reactant, chemical intermediate or component in a formulating process) of tri- or tetrachlorophenol, or of intermediates used to produce their pesticide derivatives. (This listing does not include wastes from the production of hexachlorophene from highly purified 2, 4, 5-trichlorophenol.)	(H)
F006	Wastewater treatment sludges from electroplating operations except from the following processes: (1) sulfuric acid anodizing of aluminum; (2) tin plating on carbon steel; (3) zinc plating (segregated basis) on carbon steel; (4) aluminum or zinc-aluminum plating on carbon steel; (5) cleaning/stripping associated with tin, zinc and aluminum plating on carbon steel; and (6) chemical etching and milling of aluminum.	(T)	F021	Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production or manufacturing use (as a reactant, chemical intermediate or component in a formulating process) of pentachlorophenol, or of intermediates used to produce its derivatives.	(H)
F007	Spent cyanide plating bath solutions from electroplating operations.	(R, T)	F022	Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the manufacturing use (as a reactant, chemical intermediate or component in a formulating process) of tetra-, penta- or hexachlorobenzenes under alkaline conditions.	(H)
F008	Plating bath residues from the bottom of plating baths from electroplating operations where cyanides are used in the process.	(R, T)	F023	Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production of materials on equipment previously used for the production or manufacturing use (as a reactant, chemical intermediate or component in a formulating process) of tri- and tetrachlorophenols. (This listing does not include wastes from equipment used only for the production or use of hexachlorophene from highly purified 2,4,5-trichlorophenol.)	(H)
F009	Spent stripping and cleaning bath solutions from electroplating operations where cyanides are used in the process.	(R, T)	F024	Process wastes including but not limited to, distillation residues, heavy ends, tars, and reactor cleanout wastes, from the production of certain chlorinated aliphatic hydrocarbons by free radical catalyzed processes. These chlorinated aliphatic hydrocarbons are those having carbon chain lengths ranging from one to and including five, with varying amounts and positions of chlorine substitution. (This listing does not include wastewaters, wastewater treatment sludges, spent catalysts and wastes listed in this Section or Section 721.132.)	(T)
F010	Quenching bath residues from oil baths from metal heat treating operations where cyanides are used in the process.	(R, T)			
F011	Spent cyanide solutions from salt bath pot cleaning from metal heat treating operations.	(R, T)			
F012	Quenching wastewater treatment sludges from metal heat treating operations where cyanides are used in the process.	(T)			

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EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
F025	Condensed light ends, spent filters and filter aids, and spent desiccant wastes from the production of certain chlorinated aliphatic hydrocarbons by free radical catalyzed processes. These chlorinated aliphatic hydrocarbons are those having carbon chain lengths ranging from one to and including five, with varying amounts and positions of chlorine substitution.	(T)
F026	Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production of materials on equipment previously used for the manufacturing use (as a reactant, chemical intermediate or component in a formulating process) of tetra-, penta- or hexachlorobenzene under alkaline conditions.	(H)
F027	Discarded unused formulations containing tri-, tetra- or pentachlorophenol or discarded unused formulations containing compounds derived from these chlorophenols. (This listing does not include formulations containing hexachlorophene synthesized from prepurified 2,4,5-trichlorophenol as the sole component).	(H)
F028	Residues resulting from the incineration or thermal treatment of soil contaminated with hazardous waste numbers F020, F021, F022, F023, F026 and F027.	(T)
F032	Wastewaters, (except those that have not come into contact with process contaminants), process residuals, preservative drippage and spent formulations from wood preserving processes generated at plants that currently use or have previously used chlorophenolic formulations (except potentially cross-contaminated wastes that have had the F032 waste code deleted in accordance with Section 721.135 and where the generator does not resume or initiate use of chlorophenolic formulations). This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote or pentachlorophenol.	
F034	Wastewaters, (except those that have not come into contact with process contaminants), process residuals, preservative drippage and spent formulations from wood preserving processes generated at plants that use creosote formulations. This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote or pentachlorophenol.	

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EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
F035	Wastewaters, (except those that have not come into contact with process contaminants), process residuals, preservative drippage and spent formulations from wood preserving processes generated at plants that use inorganic preservatives containing arsenic or chromium. This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote or pentachlorophenol.	(T)
F037	Petroleum refinery primary oil/water/solids separation sludge--Any sludge generated from the gravitational separation of oil/water/solids during the storage or treatment of process wastewaters and oily cooling wastewaters from petroleum refineries. Such sludges include, but are not limited to, those generated in: oil/water/solids separators; tanks and impoundments; ditches and other conveyances; sumps; and stormwater units receiving dry weather flow. Sludges generated in stormwater units that do not receive dry weather flow, sludges generated from non-contact once-through cooling waters segregated for treatment from other process or oily cooling waters, sludges generated in aggressive biological treatment units as defined in subsection (b)(2), below, (including sludges generated in one or more additional units after wastewaters have been treated in aggressive biological treatment units) and K051 wastes are not included in this listing.	(T)
F038	Petroleum refinery secondary (emulsified) oil/water/solids separation sludge--Any sludge or float generated from the physical or chemical separation of oil/water/solids in process wastewaters and oily cooling wastewaters from petroleum refineries. Such wastes include, but are not limited to, all sludges and floats generated in: induced air floatation (IAF) units, tanks and impoundments, and all sludges generated in DAF units. Sludges generated in stormwater units that do not receive dry weather flow, sludges generated from non-contact once-through cooling waters segregated for treatment from other process or oily cooling waters, sludges and floats generated in aggressive biological treatment units as defined in subsection (b)(2), below (including sludges and floats generated in one or more additional units	(T)

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## Hazard Code

## Industry and Hazardous Waste

EPA  
Hazardous  
Waste No.

after wastewaters have been treated in aggressive biological treatment units, F037, K048 and K051 wastes are not included in this listing.

F039 Leachate (liquids which have percolated through land disposed wastes) resulting from the disposal of more than one restricted waste classified as hazardous under Subpart D. (Leachate resulting from the disposal of one or more of the following USEPA hazardous wastes and no other hazardous wastes retains its USEPA hazardous waste number(s): F020, F021, F022, F026, F027 or F028.) (T)

(Board Note: The primary hazardous properties of these materials have been indicated by the letters T (Toxicity), R (Reactivity), I (Ignitability), and C (Corrosivity). The letter H indicates Acute Hazardous Waste.)

## b) Listing specific definitions.

1) For the purpose of the F037 and F038 listings, oil/water/solids is defined as oil or water or solids.

2) For the purposes of the F037 and F038 listings:

A) Aggressive biological treatment units are defined as units which employ one of the following four treatment methods: activated sludge; trickling filter; rotating biological contactor for the continuous accelerated biological oxidation of wastewaters; or, high-rate aeration. High-rate aeration is a system of surface impoundments or tanks, in which intense mechanical aeration is used to completely mix the wastes, enhance biological activity, and:

i) The units employ a minimum of 6 horsepower per million gallons of treatment volume; and either

ii) The hydraulic retention time of the unit is no longer than 5 days; or

iii) The hydraulic retention time is no longer than 30 days and the unit does not generate a sludge that is a hazardous waste by the toxicity characteristic.

B) Generators and treatment, storage or disposal (TSD) facilities have the burden of proving that their sludges are exempt from listing as F037 or F038 wastes under this definition. Generators and TSD facilities shall maintain, in their operating or other on site records, documents and data sufficient to prove that:

i) The unit is an aggressive biological treatment unit as defined in this subsection; and

ii) The sludges ought to be exempted from F037 or F038 were

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actually generated in the aggressive biological treatment unit.

3) Time of generation. For the purposes of:

A) The F037 listing, sludges are considered to be generated at the moment of deposition in the unit, where deposition is defined as at least a temporary cessation of lateral particle movement.

B) The F038 listing:

i) Sludges are considered to be generated at the moment of deposition in the unit, where deposition is defined as at least a temporary cessation of lateral particle movement; and

ii) Floats are considered to be generated at the moment they are formed in the top of the unit.

(Source: Amended at 20 Ill. Reg. 10963, effective

AUG 01 1996)

## Section 721.132 Hazardous Waste from Specific Sources

The following solid wastes are listed hazardous wastes from specific sources unless they are excluded under 35 Ill. Adm. Code 720.120 and 720.122 and listed in Appendix I.

EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
K001	Wood Preservation: Bottom sediment sludge from the treatment of wastewaters from wood preserving processes that use creosote or <u>and/or</u> pentachlorophenol.	(T)
K002	Inorganic Pigments: Wastewater treatment sludge from the production of chrome yellow and orange pigments.	(T)
K003	Wastewater treatment sludge from the production of molybdate orange pigments.	(T)
K004	Wastewater treatment sludge from the production of zinc yellow pigments.	(T)
K005	Wastewater treatment sludge from the production of chrome green pigments.	(T)
K006	Wastewater treatment sludge from the production of chrome oxide green pigments (anhydrous and hydrated).	(T)
K007	Wastewater treatment sludge from the production of iron blue pigments.	(T)

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EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
K008	Oven residue from the production of chrome oxide green pigments.	(T)
Organic Chemicals:		
K009	Distillation bottoms from the production of acetaldehyde from ethylene.	(T)
K010	Distillation side cuts from the production of acetaldehyde from ethylene.	(T)
K011	Bottom stream from the wastewater stripper in the production of acrylonitrile.	(R,T)
K013	Bottom stream from the acetonitrile column in the production of acrylonitrile.	(T)
K014	Bottoms from the acetonitrile purification column in the production of acrylonitrile.	(T)
K015	Still bottoms from the distillation of benzyl chloride.	(T)
K016	Heavy ends or distillation residues from the production of carbon tetrachloride.	(T)
K017	Heavy ends (still bottoms) from the purification column in the production of epichlorohydrin.	(T)
K018	Heavy ends from the fractionation column in ethyl chloride production.	(T)
K019	Heavy ends from the distillation of ethylene dichloride in ethylene dichloride production.	(T)
K020	Heavy ends from the distillation of vinyl chloride in vinyl chloride monomer production.	(T)
K021	Aqueous spent antimony catalyst waste from fluoromethanes production.	(T)
K022	Distillation bottom tars from the production of phenol/acetone from cumene.	(T)
K023	Distillation light ends from the production of phthalic anhydride from naphthalene.	(T)
K024	Distillation bottoms from the production of phthalic anhydride from naphthalene.	(T)
K093	Distillation light ends from the production of phthalic anhydride from ortho-xylene.	(T)
K094	Distillation bottoms from the production of phthalic anhydride from ortho-xylene.	(T)
K025	Distillation bottoms from the production of nitrobenzene by the nitration of benzene.	(T)
K026	Stripping still tails from the production of methyl ethyl pyridines.	(T)

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EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
K027	Centrifuge and distillation residues from toluene diisocyanate production.	(R,T)
K028	Spent catalyst from the hydrochlorinator reactor in the production of 1,1,1-trichloroethane.	(T)
K029	Waste from the product stream stripper in the production of 1,1,1-trichloroethane.	(T)
K095	Distillation bottoms from the production of 1,1,1-trichloroethane.	(T)
K096	Heavy ends from the heavy ends column from the production of 1,1,1-trichloroethane.	(T)
K030	Column bottoms or heavy ends from the combined production of trichloroethylene and perchloroethylene.	(T)
K083	Distillation bottoms from aniline production.	(T)
K103	Process residues from aniline extraction from the production of aniline.	(T)
K104	Combined wastewater streams generated from nitrobenzene/aniline production.	(T)
K085	Distillation or fractionation column bottoms from the production of chlorobenzenes.	(T)
K105	Separated aqueous stream from the reactor product washing step in the production of chlorobenzenes.	(T)
K107	Column bottoms from product separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	(C,T)
K108	Condensed column overheads from product separation and condensed reactor vent gases from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	(I,T)
K109	Spent filter cartridges from the product purification from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	(T)
K110	Condensed column overheads from intermediate separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	(T)
K111	Product wastewaters from the production of dinitrotoluene via nitration of toluene.	(C,T)
K112	Reaction by-product water from the drying column in the production of toluenediamine via hydrogenation of dinitrotoluene.	(T)
K113	Condensed liquid light ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	(T)



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EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code	EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
K114	Vicinals from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	(T)	K073	Chlorinated hydrocarbon waste from the purification step of the diaphragm cell process using graphite anodes in chlorine production.	(T)
K115	Heavy ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	(T)	K106	Wastewater treatment sludge from the mercury cell process in chlorine production.	(T)
K116	Organic condensate from the solvent recovery column in the production of toluene diisocyanate via phosgenation of toluenediamine.	(T)	Pesticides:		
K117	Wastewater from the reactor vent gas scrubber in the production of ethylene dibromide via bromination of ethene.	(T)	K031	By-product salts generated in the production of MSMA and cacodylic acid.	(T)
K118	Spent adsorbent solids from purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.	(T)	K032	Wastewater treatment sludge from the production of chlordane.	(T)
K136	Still bottoms from the purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.	(T)	K033	Wastewater and scrub water from the chlorination of cyclopentadiene in the production of chlordane.	(T)
K156	Organic waste (including heavy ends, still bottoms, light ends, spent solvents, filtrates, and decantates) from the production of carbamates and carbamoyl oximes.	(T)	K034	Filter solids from the filtration of hexachlorocyclopentadiene in the production of chlordane.	(T)
K157	Wastewaters (including scrubber waters, condenser waters, washwaters, and separation waters) from the production of carbamates and carbamoyl oximes.	(T)	K097	Vacuum stripper discharge from the chlordane chlorinator in the production of chlordane.	(T)
K158	Bag house dusts and filter/separation solids from the production of carbamates and carbamoyl oximes.	(T)	K035	Wastewater treatment sludges generated in the production of creosote.	(T)
K159	Organics from the treatment of thiocarbamate wastes.	(T)	K036	Still bottoms from toluene reclamation distillation in the production of disulfoton.	(T)
K160	Solids (including filter wastes, separation solids, and spent catalysts) from the production of thiocarbamates and solids from the treatment of thiocarbamate wastes.	(T)	K037	Wastewater treatment sludges from the production of disulfoton.	(T)
K161	Purification solids (including filtration, evaporation, and centrifugation solids), bag house dust and floor sweepings from the production of dithiocarbamate acids and their salts. (This listing does not include K125 or K126.)	(R,T)	K038	Wastewater from the washing and stripping of phorate production.	(T)
	Inorganic Chemicals:		K039	Filter cake from the filtration of diethylphosphorodithioic acid in the production of phorate.	(T)
K071	Brine purification muds from the mercury cell process in chlorine production, where separately prepurified brine is not used.	(T)	K040	Wastewater treatment sludge from the production of phorate.	(T)
			K041	Wastewater treatment sludge from the production of toxaphene.	(T)
			K098	Untreated process wastewater from the production of toxaphene.	(T)
			K042	Heavy ends or distillation residues from the distillation of tetrachlorobenzene in the production of 2,4,5-T.	(T)
			K043	2,6-Dichlorophenol waste from the production of 2,4-D.	(T)
			K099	Untreated wastewater from the production of 2,4-D.	(T)

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EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
K123	Process wastewater (including supernates, filtrates and washwaters) from the production of ethylenedisulfoncarbamate acid and its salts.	(T)
K124	Reactor vent scrubber water from the production of ethylenedisulfoncarbamate acid and its salts.	(C,T)
K125	Filtration, evaporation and centrifugation solids from the production of ethylenedisulfoncarbamate acid and its salts.	(T)
K126	Baghouse dust and floor sweepings in milling and packaging operations from the production or formulation of ethylenedisulfoncarbamate acid and its salts.	(T)
K131	Wastewater from the reactor and spent sulfuric acid from the acid dryer from the production of methyl bromide.	(C,T)
K132	Spent absorbent and wastewater separator solids from the production of methyl bromide.	(T)
	Explosives:	
K044	Wastewater treatment sludges from the manufacturing and processing of explosives.	(R)
K045	Spent carbon from the treatment of wastewater containing explosives.	(R)
K046	Wastewater treatment sludges from the manufacturing, formulation and loading of lead-based initiating compounds.	(T)
K047	Pink/red water from TNT operations.	(R)
	Petroleum Refining:	
K048	Dissolved air flotation (DAF) float from the petroleum refining industry.	(T)
K049	Slop oil emulsion solids from the petroleum refining industry.	(T)
K050	Heat exchanger bundle cleaning sludge from the petroleum refining industry.	(T)
K051	API separator sludge from the petroleum refining industry.	(T)
K052	Tank bottoms (lead) from the petroleum refining industry.	(T)

Iron and Steel:

(T)

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EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
K061	Emission control dust/sludge from the primary production of steel in electric furnaces.	(T)
K062	Spent pickle liquor generated by steel finishing operations of facilities within the iron and steel industry (SIC Codes 331 and 332) (as defined in 35 Ill. Adm. Code 720.110).	(C,T)
	Primary Copper:	
K064	Acid plant blowdown slurry or sludge resulting from the thickening of blowdown slurry from primary copper production.	(T)
	Primary Lead:	
K065	Surface impoundments solids contained in and dredged from surface impoundments at primary lead smelting facilities.	(T)
	Primary Zinc:	
K066	Sludge from treatment of process wastewater or acid plant blowdown from primary zinc production.	(T)

BOARD NOTE: This waste listing is the subject of a judicial remand in American Mining Congress v. EPA, 907 F.2d 1179 (D.D.C. 1990). The Board intends that this listing not become enforceable in Illinois until the first date upon which the Board RCRA program becomes "not equivalent to the Federal program," within the meaning of Section 3006(b) of the RCRA Act, 42 U.S.C. 6926(b), the Board RCRA rules become "less stringent" than the USEPA rules, as this phrase is used in Section 3009, 42 U.S.C. 6929, or the Board RCRA rules are not "identical in substance" with the federal rules as that term is intended by 331-Rev-Stat-1991-11-1-27-para-1007-2-and-1022-4 f 415 ILCS 5/7.2 and 5/22.4 as a result of some action by USEPA with regard to this listing in response to the American Mining Congress remand.

EPA  
Hazardous  
Waste No.

Industry and Hazardous Waste

Hazard Code

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EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
Primary Aluminum		
K088	Spent potliners from primary aluminum reduction.	(T)
Ferroalloys:		
K090	Emission control dust or sludge from ferrochromium/silicon production.	(T)
K091	Emission control dust or sludge from ferrochromium production.	(T)
Secondary Lead:		
K069	Emission control dust/sludge from secondary lead smelting. BOARD NOTE: This listing is administratively stayed for sludge generated from secondary acid scrubber systems. The stay will remain in effect until this note is removed.	(T)
K100	Waste leaching solution from acid leaching of emission control dust/sludge from secondary lead smelting.	(T)
Veterinary Pharmaceuticals:		
K084	Wastewater treatment sludges generated during the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.	(T)
K101	Distillation tar residues from the distillation of aniline-based compounds in the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.	(T)
K102	Residue from use of activated carbon for decolorization in the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.	(T)
Ink Formulation:		
K086	Solvent washes and sludges, caustic washes and sludges, or water washes and sludges from cleaning tubs and equipment used in the formulation of ink from pigments, driers, soaps and stabilizers containing chromium and lead.	(T)

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EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
Coking:		
K060	Ammonia still lime sludge from coking operations.	(T)
K087	Decanter tank tar sludge from coking operations.	(T)
K141	Process residues from the recovery of coal tar, including, but not limited to, collecting sump residues from the production of coke from coal or the recovery of coke by-products produced from coal. This listing does not include K087 (decanter tank tar sludges from coking operations).	(T)
K142	Tar storage tank residues from the production of coke from coal or from the recovery of coke by-products produced from coal.	(T)
K143	Process residues from the recovery of light oil, including, but not limited to, those generated in stills, decanters, and wash oil recovery units from the recovery of coke by-products produced from coal.	(T)
K144	Wastewater sump residues from light oil refining, including, but not limited to, intercepting or contamination sump sludges from the recovery of coke by-products produced from coal.	(T)
K145	Residues from naphthalene collection and recovery operations from the recovery of coke by-products produced from coal.	(T)
K147	Tar storage tank residues from coal tar refining.	(T)
K148	Residues from coal tar distillation, including but not limited to, still bottoms.	(T)
K149	Distillation bottoms from the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups. <sup>7</sup> (This waste does not include still bottoms from the distillation of benzyl chloride.)	(T)
K150	Organic residuals, excluding spent carbon adsorbent, from the spent chlorine gas and hydrochloric acid recovery processes associated with the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups.	(T)
K151	Wastewater treatment sludges, excluding neutralization and biological sludges, generated during the treatment of wastewaters from the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with	(T)



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Industry and Hazardous Waste

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mixtures of these functional groups.

(Source: Amended at 20 Ill. Reg. **10963**, effective  
—AUG 01 1996—)**Section 721.133 Discarded Commercial Chemical Products, Off-Specification Species, Containers Residues, and Spill Residues Thereof**

The following materials or items are hazardous wastes if and when they are discarded or intended to be discarded as described in Section 721.102(a)(2)(A), when they are mixed with waste oil or used oil or other material and applied to the land for dust suppression or road treatment, when they are otherwise applied to the land in lieu of their original intended use or when they are contained in products that are applied to land in lieu of their original intended use, or when, in lieu of their original intended use, they are produced for use as (or as a component of) a fuel, distributed for use as a fuel, or burned as a fuel.

a) Any commercial chemical product, or manufacturing chemical intermediate having the generic name listed in subsection **subsections** (e) or (f) below.

b) Any off-specification commercial chemical product or manufacturing chemical intermediate which, if it met specifications, would have the generic name listed in subsection **subsections** (e) or (f) below.

c) Any residue remaining in a container or inner liner removed from a container that has held any commercial chemical product or manufacturing chemical intermediate having the generic name listed in subsection (e) or (f) below, unless the container is empty as defined in Section 721.107(b)(3).

BOARD NOTE: Unless the residue is being beneficially used or reused, or legitimately recycled or reclaimed, or being accumulated, stored, transported, or treated prior to such use, reuse, recycling, or reclamation, the Board considers the residue to be intended for discard, and thus a hazardous waste. An example of a legitimate reuse of the residue would be where the residue remains in the container and the container is used to hold the same commercial chemical product or manufacturing chemical intermediate it previously held. An example of the discard of the residue would be where the drum is sent to a drum reconditioner that reconditions the drum but discards the residue.

d) Any residue or contaminated soil, water, or other debris resulting from the cleanup of a spill into or on any land or water of any commercial chemical product or manufacturing chemical intermediate having the generic name listed in subsection (e) or (f) below, or any residue or contaminated soil, water, or other debris resulting from the cleanup of a spill into or on any land or water, of any

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off-specification chemical product or manufacturing chemical intermediate which, if it met specifications, would have the generic name listed in subsection (e) or (f) below.

BOARD NOTE: The phrase "commercial chemical product or manufacturing chemical intermediate having the generic name listed in..." refers to a chemical substance that is manufactured or formulated for commercial or manufacturing use which consists of the commercially pure grade of the chemical, any technical grades of the chemical that are produced or marketed, and all formulations in which the chemical is the sole active ingredient. It does not refer to a material, such as a manufacturing process waste, that contains any of the substances listed in subsection **subsections** (e) or (f) below. Where a manufacturing process waste is deemed to be a hazardous waste because it contains a substance listed in subsection **subsections** (e) or (f) below, such waste will be listed in either Sections 721.131 or 721.132 or will be identified as a hazardous waste by the characteristics set forth in Subpart C.

e) The commercial chemical products, manufacturing chemical intermediates, or off-specification commercial chemical products or manufacturing chemical intermediates referred to in subsections (a) through (d) above, are identified as acute hazardous waste (H) and are subject to the small quantity exclusion defined in Section 721.105(e). These wastes and their corresponding EPA Hazardous Waste Numbers are:

BOARD NOTE: For the convenience of the regulated community the primary hazardous properties of these materials have been indicated by the letters T (Toxicity), and R (Reactivity). The absence of a letter indicates that the compound only is listed for acute toxicity.

Hazardous Waste No.	Chemical Abstracts No.	Substance
P023	107-20-0	Acetaldehyde, chloro-
P002	591-08-2	Acetamide, N-(aminothioxomethyl)-
P057	640-19-7	Acetamide, 2-fluoro-
P058	62-74-8	Acetic acid, fluoro-, sodium salt
P002	591-08-2	1-Acetyl-2-thiourea
P003	107-02-8	Acrolein
P070	116-06-3	Aldicarb
P203	1646-88-4	Aldicarb sulfone
P004	309-00-2	Aldrin
P005	107-18-6	Allyl alcohol
P006	20859-73-8	Aluminum phosphide (R,T)
P007	2763-96-4	5-(Aminomethyl)-3-isoxazolol
P008	504-24-5	4-Aminopyridine
P009	131-74-8	Ammonium picrate (R)
P119	7803-53-6	Ammonium vanadate
P099	506-61-6	Argentate(1-), bis(cyano-C)-,

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Hazardous Waste No.	Chemical Abstracts No.	Substance
P010	7778-39-4	potassium
P012	1327-53-3	Arsenic acid H[3]A[s]O[4]
P011	1303-28-2	Arsenic oxide As[2]O[3]
P011	1303-28-2	Arsenic oxide As[2]O[5]
P012	1327-53-3	Arsenic pentoxide
P012	1327-53-3	Arsenic trioxide
P038	692-42-2	Arsine, diethyl-
P036	596-28-6	Arsonous dichloride, phenyl-
P054	151-56-4	Aziridine
P067	75-55-8	Aziridine, 2-methyl
P013	542-62-1	Barium cyanide
P024	106-47-8	Benzenamine, 4-chloro-
P077	100-01-6	Benzenamine, 4-nitro-
P028	100-44-7	Benzenamine, (chloromethyl)-
P042	51-43-4	1,2-Benzenediol, 4-[1-hydroxy-2-(methylamino)ethyl]-, (R)-
P046	122-09-8	Benzenethanamine, alpha, alpha-dimethyl-
P014	108-98-5	Benzenethiol
P127	1563-66-2	7-Benzofuranol, 2,3-dihydro-2,2-dimethyl-, methylcarbamate
P188	57-64-7	Benzoic acid, 2-hydroxy-, compound with (3aS-cis)-1,2,3,3a,8,8a-hexahydro-1,3a,8-trimethylpyrrolo[2,3-b]indol-5-yl methylcarbamate ester (1:1)
P001	P81-81-2*	2H-1-Benzopyran-2-one, 4-hydroxy-3-(3-oxo-1-phenylbutyl)-, and salts, when present at concentrations greater than 0.3%
P028	100-44-7	Benzyl chloride
P015	7440-41-7	Beryllium powder
P017	598-31-2	Bromoacetone
P018	357-57-3	Brucine
P045	39196-18-4	2-Butanone, 3,3-dimethyl-1-(methylthio)-, 0-(methylamino)carbonyl oxime
P021	592-01-8	Calcium cyanide
P021	592-01-8	Calcium cyanide Ca(CN)(2)
P189	55285-14-8	Carbamic acid, [(dibutylamino)-thio]-methyl-, 2,3-dihydro-2,2-dimethyl-7-benzofuranyl ester
P191	644-64-4	Carbamic acid, dimethyl-, 1-[(dimethylamino)carbonyl]-5-methyl-1H-pyrazol-3-yl ester

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Hazardous Waste No.	Chemical Abstracts No.	Substance
P192	119-38-0	Carbamic acid, dimethyl-, 3-methyl-1-(1-methylethyl)-1H-pyrazol-5-yl ester
P190	1129-41-5	Carbamic acid, methyl-, 3-methylphenyl ester
P127	1563-66-2	Carbofuran
P022	75-15-0	Carbon disulfide
P095	75-44-5	Carbonic dichloride
P189	55285-14-8	Carbosulfan
P023	107-20-0	Chloroacetaldehyde
P024	106-47-8	p-Chloroaniline
P026	5344-82-1	1-(O-Chlorophenyl)thiourea
P027	542-76-7	3-Chloropropionitrile
P029	544-92-3	Copper cyanides
P029	544-92-3	Copper cyanide CuCN
P022	64-00-6	m-Cumenyl methylcarbamate
P030		Cyanides (soluble cyanide salts), not otherwise specified
P031	460-19-5	Cyanogen
P033	506-77-4	Cyanogen chloride
P033	506-77-4	Cyanogen chloride CNCI
P034	131-89-5	2-Cyclohexyl-4,6-dinitrophenol
P016	542-88-1	Dichloromethyl ether
P036	696-28-6	Dichlorophenylarsine
P037	60-57-1	Diethrin
P038	692-42-2	Diethylarsine
P041	311-45-5	Diethyl-p-nitrophenyl phosphate
P040	297-97-2	O,O-diethyl phosphorothioate
P043	55-91-4	Diisopropylfluorophosphate (DFP)
P191	644-64-4	Dimetilan
P004	309-00-2	1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-, 4,4a,5,8a-hexahydro-, (1alpha, 4alpha, 4beta, 5alpha, 8alpha, 8beta)-
P060	465-73-6	1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-, 4,4a,5,8a-hexahydro-, (1alpha, 4alpha, 4beta, 5beta, 8beta)-
P037	60-57-1	2,7,3,6-Dimethanonaphth[2,3-b]oxirane, 3,4,5,6,9,9-

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Hazardous Waste No.	Chemical Abstracts No.	Substance
P051	P72-20-8*	hexachloro-la,2a,3,6,6a,7,7a-octahydro-, (laalpha, 2beta, 2alpha,3beta, 6beta, 6alpha, 7beta, 7alpha)-
3,4,5,6,9,9-		2,7:3,6-Dimethanonaphth[2,3-b]oxirene,
P044	60-51-5	hexachloro-la,2a,3,6,6a,7,7a-octahydro-, (laalpha, 2beta, 2alpha,3beta, 6beta, 6alpha, 7beta, 7alpha)-, and metabolites
P046	122-09-8	Dimethoate
P047	534-52-1*	alpha, alpha-Dimethylphenethylamine
P048	51-28-5	4,6-Dinitro-o-cresol and salts
P020	88-85-7	2,4-Dinitrophenol
P085	152-16-9	Dinoseb
P111	107-49-3	Diphosphoramide, octamethyl-
P039	298-04-4	Diphosphoric acid, tetraethyl ester
P049	541-53-7	Disulfoton
P185	25419-73-8	Dithiobiuret
P050	115-29-7	1,3-Dithiolane-2-carboxaldehyde, 2,4-dimethyl-, O-[(methylamino)-carbonyl]-oxime
P088	145-73-3	Endosulfan
P051	72-20-8	Endothall
P051	72-20-8	Endrin, and metabolites
P042	51-43-4	Epinephrine
P031	460-19-5	Ethanedinitrile
P194	23135-22-0	Ethanimidothioc acid,
P066	16752-77-5	2-[(dimethylamino)-N-[[[(methylamino)carbonyl]oxy]-2-oxo-, methyl ester
P101	107-12-0	Ethanimidothioic acid, N-[[[(methylamino)carbonyl]oxy]-, methyl ester
P054	151-56-4	Ethyl cyanide
P097	52-85-7	Ethyleneimine
P056	7782-41-4	Famphur
P057	640-19-7	Fluorine
P058	62-74-8	Fluoroacetamide
P198	23422-53-9	Fluoroacetic acid, sodium salt
P197	17702-57-7	Formetanate hydrochloride
P065	628-86-4	Formparanate
		Fulminic acid, mercury (2+) salt (R,T)

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Hazardous Waste No.	Chemical Abstracts No.	Substance
P059	76-44-8	Heptachlor
P062	757-58-4	Hexaethyl tetraphosphate
P116	79-19-6	Hydrazinecarbothioamide
P068	60-34-4	Hydrazine, methyl-
P063	74-90-8	Hydrocyanic acid
P063	74-90-8	Hydrogen cyanide
P096	7803-51-2	Hydrogen phosphide
P060	465-73-6	Isodrin
P192	119-38-0	Isolan
P202	64-00-6	3-Isopropylphenyl-N-methylcarbamate
P007	2763-96-4	3(2H)-Isoxazolone, 5-(aminomethyl)-
P196	15339-36-3	Manganese, bis(dimethylcarbamodithioato-S,S')
P196	15339-36-3	Manganese dimethyldithiocarbamate
P092	62-38-4	Mercury, (acetato-0)phenyl-
P065	628-86-4	Mercury fulminate (R,T)
P082	62-75-9	Methanamine, N-methyl-N-nitroso-
P064	624-83-9	Methane, isocyanato-
P016	542-88-1	Methane, oxybis(chloro-
P112	509-14-8	Methane, tetranitro- (R)
P118	75-70-7	Methanethiol, trichloro-
P198	23422-53-9	Methanimidamide, N,N-dimethyl-N'-[3-[[[(methylamino)-carbonyl]oxy]phenyl]-, monohydrochloride
P197	17702-57-7	Methanimidamide, N,N-dimethyl-N'-[2-methyl-4-[[[(methylamino)carbonyl]oxy]-phenyl]-
P199	2032-65-7	Methiocarb
P050	115-29-7	6,9-Methano-2,4,3-benzodioxathiepen, 6,7,8,9,10,10-
		hexachloro-1,5,5a,6,9,9a-hexahydro-, 3-oxide
P059	76-44-8	4,7-Methano-1H-indene, 1,4,5,6,7,8,8-heptachloro-
		3a,4,7,7a-tetrahydro-
P066	16752-77-5	Methomyl
P068	60-34-4	Methyl hydrazine
P064	624-83-9	Methyl isocyanate
P069	75-86-5	2-Methylactonitrile
P071	298-00-0	Methyl parathion
P190	1129-41-5	Metolcarb
P129	315-8-4	Mexacarbate
P072	86-88-4	alpha-Naphthylthiourea



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Hazardous Waste No.	Chemical Abstracts No.	Substance
P073	13463-39-3	Nickel carbonyl
P073	13463-39-3	Nickel carbonyl NiCO[4], (T-4)-
P074	557-19-7	Nickel cyanide
P074	557-19-7	Nickel cyanide Ni(CN)[2]
P075	54-11-5*	Nicotine, and salts
P076	10102-43-9	Nitric oxide
P077	100-01-6	p-Nitroaniline
P078	10102-44-0	Nitrogen dioxide
P076	10102-43-9	Nitrogen oxide NO
P078	10102-44-0	Nitrogen oxide NO[2]
P081	55-63-0	Nitroglycerine (R)
P082	62-75-9	N-Nitrosodimethylamine
P084	4549-40-0	N-Nitrosomethylvinylamine
P085	152-16-9	Octamethylpyrophosphoramide
P087	20816-12-0	Osmium oxide Os[O[4], (T-4)-
P087	20816-12-0	Osmium tetroxide
P088	145-73-3	7-Oxabicyclo[2.2.1]heptane-2,3-dicarboxylic acid
P194	23135-22-0	Oxamyl
P089	56-38-2	Parathion
P034	131-89-5	Phenol, 2-cyclohexyl-4,6-dinitro-
P128	315-18-4	Phenol, 4-(dimethylamino)-3,5-dimethyl-, methylcarbamate (ester)
P199	2032-65-7	Phenol, (3,5-dimethyl-4-(methylthio))-, methylcarbamate
P048	51-28-5	Phenol, 2,4-dinitro-
P047	P534-52-1*	Phenol, 2-methyl-4,6-dinitro-, and salts
P202	64-00-6	Phenol, 3-(1-methylethyl)-, methylcarbamate
P201	2631-37-0	Phenol, 3-methyl-5-(1-methylethyl)-
P200	88-85-7	Phenol, 2-(1-methylpropyl)-4,6-dinitro-
P009	131-74-8	Phenol, 2,4,6-trinitro-, ammonium salt (R)
P092	62-38-4	Phenylmercury acetate
P093	103-85-5	Phenylthiourea
P094	298-02-2	Phorate
P095	75-44-5	Phosgene
P096	7803-51-2	Phosphine
P041	311-45-5	Phosphoric acid, diethyl 4-nitrophenyl ester
P039	298-04-4	Phosphorodithioic acid, 0,0-diethyl S-

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Hazardous Waste No.	Chemical Abstracts No.	Substance
P094	298-02-2	[2-(ethylthio)ethyl] ester Phosphorodithioic acid, 0,0-diethyl S-[(ethylthio)methyl] ester
P044	60-51-5	Phosphorodithioic acid, O,O-dimethyl S-(2-(methylamino)-2-oxoethyl)ester
P043	55-91-4	Phosphorofluoridic acid, bis(1-methylethyl)ester
P089	56-38-2	Phosphorothioic acid, O,O-diethyl O(4-nitrophenyl) ester
P040	297-97-2	Phosphorothioic acid, O,O-diethyl O-pyrazinyl ester
P097	52-85-7	Phosphorothioic acid, 0-[4-[(dimethylamino)sulfonyl]phenyl] 0,0-dimethyl ester
P071	298-00-0	Phosphorothioic acid, 0,0-dimethyl 0-(4-nitrophenyl) ester
P204	57-47-6	Physostigmine
P188	57-64-7	Physostigmine salicylate
P110	78-00-2	Plumbane, tetraethyl-
P098	151-50-8	Potassium cyanide
P098	151-50-8	Potassium cyanide KCN
P099	506-61-6	Potassium silver cyanide
P201	2631-37-0	Promecarb
P203	1646-88-4	Propanal, 2-methyl-2-(methyl-sulfonyl)-, O-[(methylamino)carbonyl] oxime
P070	116-06-3	Propanal, 2-methyl-2-(methylthio)-, O-[(methylamino)carbonyl] oxime
P101	107-12-0	Propanenitrile
P027	542-76-7	Propanenitrile, 3-chloro-
P069	75-86-5	Propanenitrile, 2-hydroxy-2-methyl-
P081	55-63-0	1,2,3-Propanetriol, trinitrate- (R)
P017	598-31-2	2-Propanone, 1-bromo-
P102	107-19-7	Propargyl alcohol
P003	107-02-8	2-Propenal
P005	107-18-6	2-Propen-1-ol
P067	75-55-8	1,2-Propylenimine
P102	107-19-7	2-Propyn-1-ol
P008	504-24-5	4-Pyridinamine
P075	P54-11-5*	Pyridine, 3-(1-methyl-2-pyrrolidinyl)-, (S)-and salts

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
P204	57-47-6	Pyrrrolo[2,3-b]indol-5-ol, 1,2,3,3a,8,8a-hexahydro-1,3a,8-trimethyl-, methyl-carbamate (ester), (3aS-cis)-
P114	12039-52-0	Selenious acid, dithallium (1+) salt
P103	630-10-4	Selenourea
P104	506-64-9	Silver cyanide
P105	506-64-9	Silver cyanide AgCN
P106	26628-22-8	Sodium azide
P107	143-33-9	Sodium cyanide
P108	143-33-9	Sodium cyanide NaCN
P109	143-33-9	Strychnidin-10-one, and salts
P110	357-57-3	Strychnidin-10-one, 2,3-dimethoxy-
P111	57-24-9*	Strychnine and salts
P112	7446-18-6	Sulfuric acid, dithallium (1+) salt
P113	3689-24-5	Tetraethylthiopyrophosphate
P114	78-00-2	Tetraethyl lead
P115	107-49-3	Tetraethylpyrophosphate
P116	509-14-8	Tetranitromethane (R)
P117	757-58-4	Tetraphosphoric acid, hexaethyl ester
P118	1314-32-5	Thallic oxide
P119	1314-32-5	Thallium oxide Tl <sub>2</sub> O[3]
P120	12039-52-0	Thallium (I) selenite
P121	7446-18-6	Thallium (I) sulfate
P122	3689-24-5	Thiodiphosphoric acid, tetraethyl ester
P123	39196-18-4	Thiofanox
P124	541-53-7	Thioimidodicarbonic diamide [(H <sub>2</sub> )N(C(S)) <sub>2</sub> ]NH
P125	108-98-5	Thiophenol
P126	79-19-6	Thiosemicarbazide
P127	5344-82-1	Thiourea, (2-chlorophenyl)-
P128	86-88-4	Thiourea, 1-naphthalenyl-
P129	103-85-5	Thiourea, phenyl-
P130	8001-35-2	Toxaphene
P131	26419-73-8	Tirpate
P132	75-70-7	Trichloromethanethiol
P133	7803-55-6	Vanadic acid, ammonium salt
P134	1314-62-1	Vanadium oxide V <sub>2</sub> O <sub>5</sub> [5]
P135	1314-62-1	Vanadium pentoxide
P136	4549-40-0	Vinylamine, N-methyl-N-nitroso-
P137	81-81-2*	Warfarin, and salts, when present at concentrations greater than 0.3%
P138	557-21-1	Zinc cyanide
P139	557-21-1	Zinc cyanide Zn(CN) <sub>2</sub>

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## NOTICE OF ADOPTED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
P205	137-30-4	Zinc, bis(dimethylcarbamodithioato-S,S')-
P122	1314-84-7	Zinc phosphide Zn <sub>3</sub> P <sub>2</sub> , when present at concentrations greater than 10% (R,T)
P205	137-30-4	Ziram
Board Note: An asterisk (*) following the CAS number indicates that the CAS number is given for the parent compound only.		
f) The commercial chemical products, manufacturing chemical intermediates, or off-specification commercial chemical products referred to in subsections (a) through (d) above, are identified as toxic wastes (T) unless otherwise designated and are subject to the small quantity exclusion defined in Section 721.105(a) and (g). These wastes and their corresponding EPA Hazardous Waste Numbers are:		
BOARD NOTE: For the convenience of the regulated community, the primary hazardous properties of these materials have been indicated by the letters T (Toxicity), R (Reactivity), I (Ignitability), and C (Corrosivity). The absence of a letter indicates that the compound is only listed for toxicity.		
Hazardous Waste No.	Chemical Abstracts No.	Substance
U394	30558-43-1	A2213
U365	2212-67-1	H-Azepine-1-carbothioic acid, hexahydro-, S-ethyl ester
U001	75-07-0	Acetaldehyde (I)
U034	75-87-6	Acetaldehyde, trichloro-
U187	62-44-2	Acetamide, N-(4-ethoxyphenyl)-
U005	53-96-3	Acetamide, N-9H-fluoren-2-yl-
U240	94-75-7	Acetic acid, (2,4-dichlorophenoxy)-, salts and esters
U112	141-78-6	Acetic acid, ethyl ester (I)
U144	301-04-2	Acetic acid, lead (2+) salt
U214	563-68-8	Acetic acid, thallium(1+) salt
See F027	93-76-5	Acetic acid, (2,4,5-trichlorophenoxy)-
U002	67-64-1	Acetone (I)
U003	75-05-8	Acetonitrile (I,T)
U004	98-86-2	Acetophenone
U005	53-96-3	2-Acethylaminofluorene
U006	75-36-5	Acetyl chloride (C,R,T)

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance	Hazardous Waste No.	Chemical Abstracts No.	Substance
U007	79-06-1	Acrylamide	U030	101-55-3	(4-chlorophenyl)- alpha-hydroxy-, ethyl ester
U008	79-10-7	Acrylic acid (I)	U035	305-03-3	Benzene, 1-bromo-4-phenoxy-
U009	107-13-1	Acrylonitrile			Benzenebutanoic acid, 4-[bis(2-chloroethyl)amino]-
U011	61-82-5	Amitrole	U037	108-90-7	Benzene, chloro-
U012	62-53-3	Aniline (I,T)	U221	25376-45-8	Benzenediamine, ar-methyl-
U013	75-60-5	Arsinic acid, dimethyl-	U028	117-81-7	1,2-Benzenedicarboxylic acid, bis(2-ethylhexyl) ester
U014	492-80-8	Auramine	U069	84-74-2	1,2-Benzenedicarboxylic acid, dibutyl ester
U015	115-02-6	Azaserine	U088	84-66-2	1,2-Benzenedicarboxylic acid, diethyl ester
U010	50-07-7	Azirino(2',3':3,4)pyrrolo[1,2-a] indole-4,7-dione,	U102	131-11-3	1,2-Benzenedicarboxylic acid, dimethyl ester
		6-amino-8-[(aminocarbonyl)oxy]methyl]-1,1a,2,8a,8b-hexahydro-8a-methoxy-5-methyl-, [1a-S-(1alpha, 8beta, 8alpha, 8balpha)]-Barban	U107	117-84-0	1,2-Benzenedicarboxylic acid, dioctyl ester
U280	101-27-9	Bendiocarb	U070	95-50-1	Benzene, 1,2-dichloro-
U278	22781-23-3	Bendiocarb	U071	541-73-1	Benzene, 1,3-dichloro-
U364	22961-82-6	Bendiocarb phenol	U072	106-46-7	Benzene, 1,4-dichloro-
U271	17804-35-2	Benzyl	U060	72-54-8	Benzene, 1,1'-(2,2-dichloroethylidene) bis[4-chloro-
U157	56-49-5	Benz[j]aceanthrylene, 1,2-dihydro-3-methyl-	U017	98-87-3	Benzene, (dichloromethyl)-
U016	225-51-4	Benz(c)acridine	U223	26471-62-5	Benzene, 1,3-diisocyanatomethyl- (R,T)
U017	98-87-3	Benzal chloride	U239	1330-20-7	Benzene, dimethyl- (I,T)
U192	23950-58-5	Benzamide,	U201	108-46-3	1,3-Benzenediol
		3,5-dichloro-N-(1,1-dimethyl-2-propynyl)-Benz[alanthracene	U127	118-74-1	Benzene, hexachloro-
U018	56-55-3	Benz[alanthracene	U056	110-82-7	Benzene, hexahydro-(I)
U094	57-97-6	Benz[alanthracene, 7,12-dimethyl-	U220	108-88-3	Benzene, methyl-
U012	62-53-3	Benzenamine (I,T)	U105	121-14-2	Benzene, 1-methyl-2,4-dinitro-
U014	492-80-8	Benzenamine, 4,4'- carbonimidoylbis [N,N-dimethyl-	U106	506-20-2	Benzene, 2-methyl-1,3-dinitro-
U049	3165-93-3	Benzenamine, 4-chloro-2-methyl-, hydrochloride	U055	98-82-8	Benzene, (1-methylethyl)- (I)
U093	60-11-7	Benzenamine,	U169	98-95-3	Benzene, nitro-
		N,N-dimethyl-4-(phenylazo)-Benzenamine, 2-methyl-	U183	608-93-5	Benzene, pentachloro-
U328	95-53-4	Benzenamine, 4-methyl-	U185	82-68-8	Benzene, pentachloronitro-
U353	106-49-0	Benzenamine,	U020	98-09-9	Benzenesulfonic acid chloride (C,R)
U158	101-14-4	Benzenamine, methylenebis[2-chloro-	U020	98-09-9	Benzenesulfonfyl chloride (C,R)
U222	636-21-5	Benzenamine, 2-methyl-, hydrochloride	U207	95-94-3	Benzene, 1,2,4,5-tetrachloro-
U181	99-55-8	Benzenamine, 2- methyl-5-nitro	U061	50-29-3	Benzene, 1,1'-(2,2,2-trichloroethylidene) bis[4-chloro-
U019	71-43-2	Benzene (I,T)	U247	72-43-5	Benzene, 1,1'-(2,2,2,-trichloroethylidene) bis[4-methoxy-
U038	510-15-6	Benzeneacetic acid, 4- chloro-alpha-			

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Hazardous Waste No.	Chemical Abstracts No.	Substance
U023	98-07-7	Benzene, (trichloromethyl)-
U234	99-35-4	Benzene, 1,3,5-trinitro-
U021	92-87-5	Benzidene
U202	P81-07-2	1,2-Benzisothiazol-3(2H)-one, 1,1-dioxide, and salts
U203	94-59-7	1,3-Benzodioxole, 5-(2-propenyl)-
U141	120-58-1	1,3-Benzodioxole, 5-(1-propenyl)-
U090	94-58-6	1,3-Benzodioxole, 5-propyl-
U278	22781-23-3	1,3-Benzodioxol-4-ol, 2,2-dimethyl-, methyl carbamate
U364	22961-82-6	1,3-Benzodioxol-4-ol, 2,2-dimethyl-
U367	1563-38-8	7-Benzofuranol, 2,3-dihydro-2,2-dimethyl-
U064	189-55-9	Methyl-
U248	P81-81-2	Benzo[ <i>rst</i> ]pentaphene
		2H-1-Benzopyran-2-one,
		4-hydroxy-3-(3-oxo-1-phenylbutyl)-, and salts, when present at concentrations of 0.3% or less
U022	50-32-8	Benzo[ <i>a</i> ]pyrene
U197	106-51-4	p-Benzquinone
U023	98-07-7	Benzotrichloride (C,R,T)
U085	1464-53-5	2,2'-Bioxirane
U021	92-87-5	[1,1'-Biphenyl]-4,4'-diamine
U073	91-94-1	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dichloro-
U091	119-90-4	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethoxy-
U095	119-93-7	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethyl-
U401	97-74-5	Bis(dimethylthiocarbamoyl) sulfide
U400	120-54-7	Bis(pentamethylene)thiuram tetrasulfide
U225	75-25-2	Bromoform
U030	101-55-3	4-Bromophenyl phenyl ether
U128	87-68-3	1,3-Butadiene, 1,1,2,3,4,4-hexachloro-
U172	924-16-3	1-Butanamine, N-butyl-N-nitroso-
U031	71-36-3	1-Butanol (I)
U159	78-93-3	2-Butanone (I,T)
U160	1338-23-4	2-Butanone, peroxide (R,T)
U053	4170-30-3	2-Butenal
U074	764-41-0	2-Butene, 1,4-dichloro- (I,T)

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Hazardous Waste No.	Chemical Abstracts No.	Substance
U143	303-34-4	2-Butenoic acid, 2-methyl-, 7-[[2,3-dihydroxy-2-(1-methoxyethyl)-3-methyl-1-oxobutoxy]methyl]-2,3,5,7a-tetrahydro-1H-pyrrolizin-1-yl ester, (1S-[1alpha(Z), 7(2S*,3R*), 7alpha]]-n-Butyl alcohol (I)
U031	71-36-3	Butylate
U392	2008-41-5	Calcodylic acid
U136	75-60-5	Calcium chromate
U032	13765-19-0	Carbamic acid, 1H-benzimidazol-2-yl-, methyl ester
U372	10605-21-7	Carbamic acid, [1-((butylamino)-carbonyl)]-1H-benzimidazol-2-yl-, methyl ester
U271	17804-35-2	Carbamic acid, butyl-, 3-iodo-2-propynyl ester
U375	55406-53-6	Carbamic acid, (3-chlorophenyl)-, 4-chloro-2-butynyl ester
U280	101-27-9	Carbamic acid, ethyl ester
U238	51-79-6	Carbamic acid, methylnitroso-, ethyl ester
U178	615-53-2	Carbamic acid, phenyl-, 1-methylethyl ester
U373	122-42-9	Carbamic acid, [1,2-phenylenebis(iminocarbonothioyl)]bis-, dimethyl ester
U409	23564-05-8	Carbamic chloride, dimethyl-
U097	79-44-7	Carbamodithioic acid, dibutyl, sodium salt
U379	136-30-1	Carbamodithioic acid, diethyl-, 2-chloro-2-propenyl ester
U277	95-06-7	Carbamodithioic acid, diethyl-, 2-chloro-2-propenyl ester
U381	148-18-5	Carbamodithioic acid, dimethyl sodium salt
U383	128-03-0	Carbamodithioic acid, dimethyl potassium salts
U382	128-04-1	Carbamodithioic acid, dimethyl-, sodium salt
U376	144-34-3	Carbamodithioic acid, dimethyl-, tetra anhydrosulfide with orthothioselenious acid
U114	P111-54-6	Carbamodithioic acid, 1,2-

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Hazardous Waste No.	Chemical Abstracts No.	Substance
<u>U378</u>	<u>51026-28-9</u>	ethanediylbis-, salts and esters Carbamodithioic acid, (hydroxy- methyl)-methyl-, monopotassium salt
<u>U384</u>	<u>137-42-8</u>	Carbamodithioic acid, methyl-, mono- sodium salt
<u>U377</u>	<u>137-41-7</u>	Carbamodithioic acid, methyl-, mono- potassium salt
<u>U062</u>	<u>2303-16-4</u>	Carbamothioic acid, bis(1-methylethyl)-, S-(2,3- dichloro-2-propenyl) ester
<u>U389</u>	<u>2303-17-5</u>	Carbamothioic acid, bis(1-methylethyl)-, S-(2,3,3-trichloro-2-propenyl) ester
<u>U392</u>	<u>2008-41-5</u>	Carbamothioic acid, bis(2-methyl- propyl)-, S-ethyl ester
<u>U391</u>	<u>1114-71-2</u>	Carbamothioic acid, butylethyl-, S- propyl ester
<u>U386</u>	<u>1134-23-2</u>	Carbamothioic acid, cyclohexylethyl-, S-ethyl ester
<u>U390</u>	<u>759-94-4</u>	Carbamothioic acid, dipropyl-, S-ethyl ester
<u>U387</u>	<u>52888-80-9</u>	Carbamothioic acid, dipropyl-, S- (phenylmethyl) ester
<u>U385</u>	<u>1929-77-7</u>	Carbamothioic acid, dipropyl-, S-propyl ester
<u>U279</u>	<u>63-25-2</u>	Carbaryl
<u>U372</u>	<u>10605-21-7</u>	Carbendazim
<u>U367</u>	<u>1563-38-8</u>	Carbofuran phenol
<u>U215</u>	<u>6533-73-9</u>	Carbonic acid, dithallium (1+) salt
<u>U033</u>	<u>494-03-1</u>	Carbonic difluoride
<u>U156</u>	<u>353-50-4</u> <u>79-22-1</u>	Carbonochloridic acid, methyl ester (I,T)
<u>U033</u>	<u>353-50-4</u>	Carbon oxyfluoride (R,T)
<u>U211</u>	<u>56-23-5</u>	Carbon tetrachloride
<u>U034</u>	<u>75-87-6</u>	Chloral
<u>U035</u>	<u>305-03-3</u>	Chlorambucil
<u>U036</u>	<u>57-74-9</u>	Chlorodane, alpha and gamma isomers
<u>U026</u>	<u>494-03-1</u>	Chloromaphazin
<u>U037</u>	<u>108-90-7</u>	Chlorobenzene
<u>U038</u>	<u>510-15-6</u>	Chlorobenzilate
<u>U039</u>	<u>59-50-7</u>	p-Chloro-m-cresol
<u>U042</u>	<u>110-75-8</u>	2-Chloroethyl vinyl ether
<u>U044</u>	<u>67-66-3</u>	Chloroform

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Hazardous Waste No.	Chemical Abstracts No.	Substance
<u>U046</u>	<u>107-30-2</u>	Chloromethyl methyl ether
<u>U047</u>	<u>91-58-7</u>	beta-Chloronaphthalene
<u>U048</u>	<u>95-57-8</u>	o-Chlorophenol
<u>U049</u>	<u>3165-93-3</u>	4-chloro-o-toluidine, hydrochloride
<u>U032</u>	<u>13765-19-0</u>	Chromic acid H[2]C[r]10[4], calcium salt
<u>U050</u>	<u>218-01-9</u>	Chrysene
<u>U393</u>	<u>137-29-1</u>	Copper, bis(dimethylcarbamodithioato- S,S')-
<u>U393</u>	<u>137-29-1</u>	Copper dimethyldithiocarbamate
<u>U051</u>		Creosote
<u>U052</u>	<u>1319-77-3</u>	Cresol (Cresylic acid)
<u>U053</u>	<u>4170-30-3</u>	Crotonaldehyde
<u>U055</u>	<u>98-82-8</u>	Cumene (I)
<u>U246</u>	<u>506-68-3</u>	Cyanogen bromide CNBr
<u>U386</u>	<u>1134-23-2</u>	Cycloate
<u>U197</u>	<u>106-51-4</u>	2,5-Cyclohexadiene-1,4-dione
<u>U056</u>	<u>110-82-7</u>	Cyclohexane (I)
<u>U129</u>	<u>58-89-9</u>	Cyclohexane, 1,2,3,4,5,6-hexachloro-, (1alpha,2alpha,3beta,4alpha,5alpha,6beta)-
<u>U057</u>	<u>108-94-1</u>	Cyclohexanone (I)
<u>U130</u>	<u>77-47-4</u>	1,3-Cyclopentadiene, 1,2,3,4,5,5-hexachloro-
<u>U058</u>	<u>50-18-0</u>	Cyclophosphamide
<u>U240</u>	<u>P94-75-7</u>	2,4-D, salts and esters
<u>U059</u>	<u>20830-81-3</u>	Daunomycin
<u>U366</u>	<u>533-74-4</u>	Dazomet
<u>U060</u>	<u>72-54-8</u>	DDD
<u>U061</u>	<u>50-29-3</u>	DDT
<u>U062</u>	<u>2303-16-4</u>	Diallate
<u>U063</u>	<u>53-70-3</u>	Dibenz[a,h]anthracene
<u>U064</u>	<u>189-55-9</u>	Dibenzof[a,i]pyrene
<u>U066</u>	<u>96-12-8</u>	1,2-Dibromo-3-chloropropane
<u>U069</u>	<u>84-74-2</u>	Dibutyl phthalate
<u>U070</u>	<u>95-50-1</u>	o-Dichlorobenzene
<u>U071</u>	<u>541-73-1</u>	m-Dichlorobenzene
<u>U072</u>	<u>106-46-7</u>	p-Dichlorobenzene
<u>U073</u>	<u>91-94-1</u>	3,3'-Dichlorobenzidine
<u>U074</u>	<u>764-41-0</u>	1,4-Dichloro-2-butene (I,T)
<u>U075</u>	<u>75-71-8</u>	Dichlorodifluoromethane
<u>U078</u>	<u>75-35-4</u>	1,1-Dichloroethylene
<u>U079</u>	<u>156-60-5</u>	1,2-Dichloroethylene
<u>U025</u>	<u>111-44-4</u>	Dichloroethyl ether
<u>U027</u>	<u>108-60-1</u>	Dichloroisopropyl ether
<u>U024</u>	<u>111-91-1</u>	Dichloromethoxy ethane

POLLUTION CONTROL BOARD

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Hazardous Waste No.	Chemical Abstracts No.	Substance
U081	120-83-2	2,4-Dichlorophenol
U082	87-65-0	2,6-Dichlorophenol
U084	542-75-6	1,3-Dichloropropene
U085	1464-53-5	1,2:3,4-Diepoxybutane (I,T)
U395	5952-26-1	Diethylene glycol, dicarbamate
U108	123-91-1	1,4-Diethylenoxide
U028	117-81-7	Diethylhexyl phthalate
U086	1615-80-1	N,N-Diethylhydrazine
U087	3288-58-2	
U088	84-66-2	0,0-Diethyl S-methyl dithiophosphate
U089	56-53-1	Diethyl phthalate
U090	94-58-6	Diethylstilbestrol
U091	119-90-4	Dihydrosoafrole
U092	124-40-3	3,3'-Dimethoxybenzidine
U093	60-11-7	Dimethylamine (I)
U094	57-97-6	p-Dimethylaminoazobenzene
U095	119-93-7	7,12-Dimethylbenz(a)anthracene
U096	80-15-9	3,3'-Dimethylbenzidine
U097	79-44-7	alpha, alpha-Dimethylbenzylhydroperoxide (R)
U098	57-14-7	Dimethylcarbamoyl chloride
U099	540-73-8	1,1-Dimethylhydrazine
U101	105-67-9	1,2-Dimethylhydrazine
U102	131-11-3	2,4-Dimethylphenol
U103	77-78-1	Dimethyl phthalate
U105	121-14-2	Dimethyl sulfate
U106	606-20-2	2,4-Dinitrotoluene
U107	117-84-0	2,6-Dinitrotoluene
U108	123-91-1	Di-n-octyl phthalate
U109	122-66-7	1,4-Dioxane
U110	142-84-7	1,2-Diphenylhydrazine
U403	97-77-8	Dipropylamine (I)
U041	106-89-8	Di-n-propylnitrosamine
U390	759-94-4	Disulfiram
U001	75-07-0	Epiclorohydrin
U404	121-44-8	EPTC
U174	55-18-5	Ethanal (I)
U155	91-80-5	Ethanamine, N,N-diethyl-
		Ethanamine, N-ethyl-N-nitroso-
		1,2-Ethanediimine,
		N,N-dimethyl-N'-2-pyridinyl
		-N'-(2-thienylmethyl)-
U067	106-93-4	Ethane, 1,2-dibromo-
U076	75-34-3	Ethane, 1,1-dichloro-

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U077	107-06-2	Ethane, 1,2-dichloro-
U131	67-72-1	Ethane,hexachloro-
U024	111-91-1	Ethane,
U117	60-29-7	1,1'-[methylenebis(oxy)]bis[2-chloro-
U025	111-44-4	Ethane, 1,1'-oxybis- (I)
U184	76-01-7	Ethane, pentachloro-
U208	630-20-6	Ethane, 1,1,1,2-tetrachloro-
U209	79-34-5	Ethane, 1,1,2,2-tetrachloro-
U218	62-55-5	Ethanethioamide
U226	71-55-6	Ethane, 1,1,1-trichloro-
U227	79-00-5	Ethane, 1,1,2-trichloro-
U410	59669-26-0	Ethanimidothioic acid, N,N'-[thiobis-[ (methylimino)carbonyloxy]]bis-, dimethyl ester
U394	30558-43-1	Ethanimidothioic acid, 2-(dimethyl-amino)-N-hydroxy-2-oxo-,methyl ester
U359	110-80-5	Ethanol, 2-ethoxy-
U173	1116-54-7	Ethanol, 2,2'-(nitrosoimino)bis-
U395	5952-26-1	Ethanol, 2,2'-oxybis-, dicarbamate
U004	98-86-2	Ethanone, 1-phenyl-
U043	75-01-4	Ethene, chloro-
U042	110-75-8	Ethene,(2-chloroethoxy)-
U078	75-35-4	Ethene, 1,1-dichloro-
U079	156-60-5	Ethene, 1,2-dichloro-, (E)-
U210	127-18-4	Ethene, tetrachloro-
U228	79-01-6	Ethene, trichloro-
U112	141-78-6	Ethyl acetate (I)
U113	140-88-5	Ethyl acrylate (I)
U238	51-79-6	Ethyl carbamate (urethane)
U117	60-29-7	Ethyl ether
U114	1111-54-6	Ethylenebis dithiocarbamic acid, salts and esters
U067	106-93-4	Ethylene dibromide
U077	107-06-2	Ethylene dichloride
U359	110-80-5	Ethylene glycol monoethyl ether
U115	75-21-8	Ethylene oxide (I,T)
U116	96-45-7	Ethylene thiourea
U076	75-34-3	Ethylidene dichloride
U118	97-63-2	Ethyl methacrylate
U119	62-50-0	Ethyl methanesulfonate
U407	14324-55-1	Ethyl Ziram
U396	14484-64-1	Terbam
U120	206-44-0	Fluoranthene



## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U122	50-00-0	Formaldehyde
U123	64-18-6	Formic acid (C,T)
U124	110-00-9	Furan (I)
U125	98-01-1	2-Furancarboxaldehyde (I)
U147	108-31-6	2,5-Furandione
U213	109-99-9	Furan, tetrahydro- (I)
U125	98-01-1	Furfural (I)
U124	110-00-9	Furfural (I)
U206	18883-66-4	Glucopyranose, 2- deoxy-2- (3-methyl-3-nitrosoacido)-, D-
U206	18883-66-4	D-Glucose,
U126	765-34-4	2-deoxy-2-(((methylnitrosoamino)- carbonyl)amino)-
U163	70-25-7	Glycidylaldehyde
U127	118-74-1	Guanidine,
U128	87-68-3	N-methyl-N'-nitro-N-nitroso- Hexachlorobenzene
U130	77-47-4	Hexachlorobutadiene
U131	67-72-1	Hexachlorocyclopentadiene
U132	70-30-4	Hexachloroethane
U243	1888-71-7	Hexachloropropene
U133	302-01-2	Hydrazine (R,T)
U086	1615-80-1	Hydrazine, 1,2-diethyl-
U098	57-14-7	Hydrazine, 1,1-dimethyl-
U099	540-73-8	Hydrazine, 1,2-dimethyl-
U109	122-66-7	Hydrazine, 1,2-diphenyl-
U134	7664-39-3	Hydrofluoric acid (C,T)
U134	7664-39-3	Hydrogen fluoride (C,T)
U135	7783-06-4	Hydrogen sulfide
U135	7783-06-4	Hydrogen sulfide H[2]S
U096	80-15-9	Hydroperoxide, 1-methyl-1-phenylethyl- (R)
U116	96-45-7	2-Imidazolidinethione
U137	193-39-5	Indeno[1,2,3-cd]pyrene
U375	55406-53-6	3-Iodo-2-propynyl n-butylcarbamate
U396	14484-64-1	Iron, tris(dimethylcarbamodithioato-S,S')-
U190	85-44-9	1,3-Isobenzofurandione
U140	78-83-1	Isobutyl alcohol (I,T)
U141	120-58-1	Isosafrole
U142	143-50-0	Kepone
U143	303-34-4	Lasiocarpene
U144	301-04-2	Lead acetate

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U146	1335-32-6	Lead, bis(acetato-0)tetrahydroxytri-
U145	7446-27-7	Lead phosphate
U146	1335-32-6	Lead subacetate
U129	58-89-9	Lindane
U163	70-25-7	MNNG
U147	108-31-6	Maleic anhydride
U148	123-33-1	Maleic hydrazide
U149	109-77-3	Malononitrile
U150	148-82-3	Melphalan
U151	7439-97-6	Mercury
U384	137-42-8	Metam Sodium
U152	126-98-7	Methacrylonitrile (I,T)
U092	124-40-3	Methanamine, N-methyl- (I)
U029	74-83-9	Methane, bromo-
U045	74-87-3	Methane, chloro- (I,T)
U046	107-30-2	Methane, chloromethoxy-
U068	74-95-3	Methane, dibromo-
U080	75-09-2	Methane, dichloro-
U075	75-71-8	Methane, dichlorodifluoro-
U138	74-88-4	Methane, iodo-
U119	62-50-0	Methanesulfonic acid, ethyl ester
U211	56-23-5	Methane, tetrachloro-
U153	74-93-1	Methanethiol (I,T)
U225	75-25-2	Methane, tribromo-
U044	67-66-3	Methane, trichloro-
U121	75-69-4	Methane, trichlorofluoro-
U036	57-74-9	4,7-Methano-1H-indene, 1,2,4,5,6,7,8-octachloro-2,3,3a,4,7,7a-hexahydro-
U154	67-56-1	Methanol (I)
U155	91-80-5	Methapyrilene
U142	143-50-0	1,3,4-Metheno-2H-cyclobuta[cd]pentalen-2-one,
U247	72-43-5	1,1a,3,3a,4,5,5a,5b,6-decachlorooctahydro-
U154	67-56-1	Methoxychlor
U029	74-83-9	Methyl alcohol (I)
U186	504-60-9	Methyl bromide
U045	74-87-3	1-Methylbutadiene (I)
U156	79-22-1	Methyl chloride (I,T)
U226	71-55-6	Methyl chloroacetate (I,T)
U157	56-49-5	Methylchloroform
U158	101-14-4	3-Methylcholanthrene
U068	74-95-3	4,4'-Methylenebis(2-chloroaniline)
		Methylene bromide

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U080	75-09-2	Methylene chloride
U159	78-93-3	Methyl ethyl ketone (MEK) (I,T)
U160	1338-23-4	Methyl ethyl ketone peroxide (R,T)
U138	74-88-4	Methyl iodide
U161	108-10-1	Methyl isobutyl ketone (I)
U162	80-62-6	Methyl methacrylate (I,T)
U161	108-10-1	4-Methyl-2-pentanone (I)
U164	56-04-2	Methylthiouracil
U010	50-07-7	Mitomycin C
U365	2212-67-1	Molinate
U059	20830-81-3	5,12-Naphthacenedione, 8-acetyl-10- [(3-amino-2,3,6-trideoxy)-alpha-L- lyxo-hexapyranosyl]oxyl]- 7,8,9,10-tetrahydro-6,8,11-trihydroxy -1-methoxy-, (8S-cis)-
U167	134-32-7	1-Naphthalenamine
U168	91-59-8	2-Naphthalenamine
U026	494-03-1	Naphthaleneamine,
U165	91-20-3	N,N'-bis(2-chloroethyl)- Naphthalene
U047	91-58-7	Naphthalene, 2-chloro-
U166	130-15-4	1,4-Naphthalenedione
U236	72-57-1	2,7-Naphthalenedisulfonic acid, 3,3'-[(3,3'- dimethyl-[1,1'-biphenyl]-4,4'- diyl) bis(azo)bis(5-amino-4- hydroxy)]-, tetrasodium salt
U279	63-25-2	1-Naphthalenol, methylcarbamate
U166	130-15-4	1,4-Naphthoquinone
U167	134-32-7	alpha-Naphthylamine
U168	91-59-8	beta-Naphthylamine
U217	10102-45-1	Nitric acid, thallium (1+) salt
U169	98-95-3	Nitrobenzene (I,T)
U170	100-02-7	p-Nitrophenol
U171	79-46-9	2-Nitropropane (T)
U172	924-16-3	N-Nitrosodi-n-butylamine
U173	1116-54-7	N-Nitrosodiethanolamine
U174	55-18-5	N-Nitrosodiethylamine
U176	759-73-9	N-Nitroso-N-ethylurea
U177	684-93-5	N-Nitroso-N-methylurea
U178	615-53-2	N-Nitroso-N-methylurethane
U179	100-75-4	N-Nitrosopiperidine
U180	930-55-2	N-Nitrosopyrrolidine
U181	99-55-8	5-Nitro-o-toluidine

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U193	1120-71-4	1,2-Oxathiolane, 2,2-dioxide
U058	50-18-0	2H-1,3,2- Oxazaphosphorin-2-amine, N,N-bis(2- chloroethyl)tetrahydro-, 2-oxide Oxirane (I,T)
U115	75-21-8	Oxirane (I,T)
U126	765-34-4	Oxiranecarboxaldehyde
U041	106-89-8	Oxirane, (chloromethyl)-
U182	123-63-7	Paraldehyde
U391	1114-71-2	Pebulate
U183	608-93-5	Pentachlorobenzene
U184	76-01-7	Pentachloroethane
U185	82-68-8	Pentachloronitrobenzene (PCNB)
See		
F027	87-86-5	pentachlorophenol
U161	108-10-1	Pentanol, 4-methyl-
U186	504-60-9	1,3-Pentadiene (I)
U187	62-44-2	Phenacetin
U188	108-95-2	Phenol
U048	95-57-8	Phenol, 2-chloro-
U039	59-50-7	Phenol, 4-chloro-3-methyl-
U081	120-83-2	Phenol, 2,4-dichloro-
U082	87-65-0	Phenol, 2,6-dichloro-
U089	56-53-1	Phenol, 4,4'-(1,2-diethyl- 1,2-ethenediyl)bis-, (E)-
U101	105-67-9	Phenol, 2,4-dimethyl-
U052	1319-77-3	Phenol, methyl-
U132	70-30-4	Phenol,
U411	114-26-1	2,2'-methylenebis(3,4,6-trichloro- phenol, 2-(1-methylethoxy)-, methyl- carbamate
U170	100-02-7	Phenol, 4-nitro-
See		
F027	87-86-5	Phenol, Pentachloro-
See		
F027	58-90-2	Phenol, 2,3,4,6-tetrachloro-
See		
F027	95-95-4	Phenol, 2,4,5-trichloro-
See		
F027	88-06-2	Phenol, 2,4,6-trichloro-
U150	148-82-3	L-Phenylalanine, 4-[bis(2-chloroethyl)amino]-
U145	7446-27-7	Phosphoric acid, lead (2+) salt (2:3)
U087	3288-58-2	Phosphorodithioic acid, O,O-diethyl S- methyl ester

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U189	1314-80-3	Phosphorus sulfide (R)
U190	85-44-9	Phthalic anhydride
U191	109-06-8	2-Picoline
U179	100-75-4	Piperidine, 1-nitroso-
U400	120-54-7	Piperidine, 1,1'-(tetrathiodicarbonyl)-bis-
U383	128-03-0	Potassium dimethyldithiocarbamate
U378	51026-28-9	Potassium n-hydroxymethyl-n-methyldithiocarbamate
U377	137-41-7	Potassium n-methyldithiocarbamate
U192	23950-58-5	Pronamide
U194	107-10-8	1-Propanamine (I,T)
U111	621-64-7	1-Propanamine, N-nitroso-N-propyl-
U110	142-84-7	1-Propanamine, N-propyl- (I)
U066	96-12-8	Propane, 1,2-dibromo-3-chloro-
U083	78-87-5	Propane, 1,2-dichloro-
U149	109-77-3	Propanedinitrile
U171	79-46-9	Propane, 2-nitro- (I,T)
U027	108-60-1	Propane, 2,2'-oxybis[2-chloro-
See F027	93-72-1	Propanoic acid, 2-(2,4,5-trichlorophenoxy)-
U193	1120-71-4	1,3-Propane sultone
U235	126-72-7	1-Propanol, 2,3-dibromo-, phosphate (3:1)
U140	78-83-1	1-Propanol, 2-methyl- (I,T)
U002	67-64-1	2-Propanone (I)
U007	79-06-01	2-Propanamide
U084	542-75-6	1-Propene, 1,3-dichloro-
U243	1888-71-7	1-Propene, 1,1,2,3,3-hexachloro-
U009	107-13-1	2-Propenenitrile
U152	126-98-7	2-Propenenitrile, 2-methyl- (I,T)
U008	79-10-7	2-Propenoic acid (I)
U113	140-88-5	2-Propenoic acid, ethyl ester (I)
U118	97-63-2	2-Propenoic acid, 2-methyl-, ethyl ester
U162	80-62-6	2-Propenoic acid, 2-methyl-, methyl ester (I,T)
U373	122-42-9	Propam
U411	114-26-1	Propoxur
See F027	93-72-1	Propionic acid, 2-(2,4,5-trichlorophenoxy)-n-propylamine (I,T)
U194	107-10-8	

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U083	78-87-5	Propylene dichloride
U387	52888-80-9	Prosulcarb
U148	123-33-1	3,6-Pyridazinedione, 1,2-dihydro-
U196	110-86-1	Pyridine
U191	109-06-8	Pyridine, 2-methyl-
U237	66-75-1	2,4-(1H,3H)-pyrimidinedione, 5-(bis(2-chloroethyl)amino)-
U164	58-04-2	4(1H)-Pyrimidinone, 2,3-dihydro-6-methyl-2-thioxo-
U180	930-55-2	Pyrrolidine, 1-nitroso-
U200	50-55-5	Reserpine
U201	108-46-3	Resorcinol
U202	P81-07-2	Saccharin and salts
U203	94-59-7	Safrole
U204	7783-00-8	Selenious acid
U204	7783-00-8	Selenium dioxide
U205	7488-56-4	Selenium sulfide
U205	7488-56-4	Selenium sulfide S[e]s[2] (R,T)
U376	144-34-3	Selenium, tetrakis(dimethyldithiocarbamate)
U015	115-02-6	L-Serine, diazoacetate (ester)
See F027	93-72-1	Silvex (2,4,5-TP)
U379	136-30-1	Sodium dibutyldithiocarbamate
U381	148-18-5	Sodium diethyldithiocarbamate
U382	128-04-1	Sodium dimethyldithiocarbamate
U206	18883-66-4	Streptozotocin
U277	95-06-7	Sulfallate
U103	77-78-1	Sulfuric acid, dimethyl ester
U189	1314-80-3	Sulfur phosphide (R)
See F027	93-76-5	2,4,5-T
U402	1634-02-2	Tetrabutylthiuram disulfide
U207	95-94-3	1,2,4,5-Tetrachlorobenzene
U208	630-20-6	1,1,1,2-Tetrachloroethane
U209	79-34-5	1,1,2,2-Tetrachloroethane
U210	127-18-4	Tetrachloroethylene
See F027	58-90-2	2,3,4,6-Tetrachlorophenol
U213	109-99-9	Tetrahydrofuran (I)
U401	97-74-5	Tetramethylthiuram monosulfide
U366	533-74-4	2H-1,3,5-Thiadiazine-2-thione, tetrahydro-3,5-dimethyl-
U214	563-68-8	Thallium (I) acetate



## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U215	6533-73-9	Thallium (I) carbonate
U216	7791-12-0	Thallium (I) chloride
U216	7791-12-0	Thallium chloride TlCl
U217	10102-45-1	Thallium (I) nitrate
U218	62-55-5	Thioacetamide
U410	59669-26-0	Thiodicarb
U153	74-93-1	Thiomethanol (I,T)
U402	1634-02-2	Thioperoxydicarbonic diamide, tetrabutyl
U403	97-77-8	Thioperoxydicarbonic diamide, tetraethyl
U244	137-26-8	Thioperoxydicarbonic diamide [(H[2]N)C(S)[(2)S(2)], tetramethyl-thiophanate-methyl
U409	23564-05-8	Thiourea
U219	62-56-6	Thiram
U244	137-26-8	Toluene
U220	108-88-3	Toluenediamine
U221	25376-45-8	Toluene diisocyanate (R,T)
U223	26471-62-5	O-Toluidine
U328	95-53-4	p-Toluidine
U353	106-49-0	O-Toluidine hydrochloride
U222	636-21-5	Triallate
U389	2303-17-5	1H-1,2,4-Triazol-3-amine
U011	61-82-5	1,1,2-Trichloroethane
U227	79-00-5	Trichloroethylene
U228	79-01-6	Trichloromonofluoromethane
U121	75-69-4	2,4,5-Trichlorophenol
See F027	95-95-4	2,4,6-Trichlorophenol
See F027	88-06-2	Triethylamine
U404	121-44-8	1,3,5-Trinitrobenzene (R,T)
U234	99-35-4	1,3,5-Trioxane, 2,4,6-trimethyl-
U182	123-63-7	Tris(2,3-dibromopropyl) phosphate
U235	126-72-7	Trypan blue
U236	72-57-1	Uracil mustard
U237	66-75-1	Urea, N-ethyl-N-nitroso-
U176	759-73-9	Urea, N-methyl-N-nitroso-
U177	684-93-5	Vernolate
U385	1929-77-7	Vinyl chloride
U043	75-01-4	Warfarin, and salts, when present at concentrations of 0.3% or less
U248	P81-81-2	Xylene (I)
U239	1330-20-7	

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U200	50-55-5	Yohimban-16-carboxylic acid, 11,17-dimethoxy-18-[(3,4,5-trimethoxybenzoyl)oxy]-, methyl ester, (3beta,16beta,17alpha,18beta,20alpha)-Zinc, bis(diethylcarbamodithioato-S,S')-Zinc phosphide Zn[3]P[2], when present at concentrations of 10% or less
U407	14324-55-1	
U249	1314-84-7	

(Source: Amended at 20 Ill. Reg. effective

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POLLUTION CONTROL BOARD

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EPA hazardous waste No.	Hazardous constituents for which listed
K032	Hexachlorocyclopentadiene.
K033	Hexachlorocyclopentadiene.
K034	Hexachlorocyclopentadiene.
K035	Creosote, chrysene, naphthalene, fluoranthene, benzo(b)fluoranthene, benzo(a)pyrene, indeno(1,2,3-cd)pyrene, benzo(a)anthracene, dibenzo(a)anthracene, acenaphthalene. Toluene, phosphorodithioic acid and phosphorothioic acid esters. Toluene, phosphorodithioic acid and phosphorothioic acid esters. Phosphate, formaldehyde, phosphorodithioic acid and phosphorothioic acid esters.
K036	Phosphorodithioic acid and phosphorothioic acid esters.
K037	Phosphate, formaldehyde, phosphorodithioic acid and phosphorothioic acid esters.
K038	Phosphate, formaldehyde, phosphorodithioic acid and phosphorothioic acid esters.
K039	Phosphate, formaldehyde, phosphorodithioic acid and phosphorothioic acid esters.
K040	Phosphate, formaldehyde, phosphorodithioic acid and phosphorothioic acid esters.
K041	Toxaphene.
K042	Hexachlorobenzene, ortho-dichlorobenzene.
K043	2,4-dichlorophenol, 2,6-dichlorophenol, 2,4,6-trichlorophenol.
K044	N.A.
K045	N.A.
K046	Lead.
K047	N.A.
K048	Hexavalent chromium, lead.
K049	Hexavalent chromium, lead.
K050	Hexavalent chromium.
K051	Hexavalent chromium, lead.
K052	Lead.
K060	Cyanide, naphthalene, phenolic compounds, arsenic.
K061	Hexavalent chromium, lead, cadmium.
K062	Hexavalent chromium, lead.
K064	Lead, cadmium.
K065	Lead, cadmium.
K066	Lead, cadmium.
K069	Hexavalent chromium, lead, cadmium.
K071	Mercury.
K073	Chloroform, carbon tetrachloride, hexachloroethane, trichloroethane, tetrachloroethylene, 1,1,2,2-tetrachloroethane.
K083	Aniline, diphenylamine, nitrobenzene, phenylenediamine.
K084	Arsenic.
K085	Benzene, dichlorobenzenes, trichlorobenzenes, hexachlorobenzene, pentachlorobenzene, benzyl chloride.
K086	Lead, hexavalent chromium.
K087	Phenol, naphthalene.
K088	Cyanide (complexes).

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

EPA hazardous waste No.	Hazardous constituents for which listed
K003	Hexavalent chromium, lead.
K004	Hexavalent chromium.
K005	Hexavalent chromium, lead.
K006	Hexavalent chromium.
K007	Cyanide (complexed), hexavalent chromium.
K008	Hexavalent chromium.
K009	Chloroform, formaldehyde, methylene chloride, methyl chloride, paraaldehyde, formic acid.
K010	Chloroform, formaldehyde, methylene chloride, methyl chloride, paraaldehyde, formic acid, chloroacetaldehyde.
K011	Acrylonitrile, acetonitrile, hydrocyanic acid.
K013	Hydrocyanic acid, acrylonitrile, acetonitrile.
K014	Acetonitrile, acrylamide.
K015	Benzyl chloride, chlorobenzene, toluene, benzotrithloride.
K016	Hexachlorobenzene, hexachlorobutadiene, carbon tetrachloride, hexachloroethane, perchloroethylene.
K017	Epichlorohydrin, chloroethers [bis(chloromethyl) ether and bis-(2-chloroethyl) ethers], trichloropropane, dichloropropanols.
K018	1,2-dichloroethane, trichloroethylene, hexachlorobutadiene, hexachlorobenzene.
K019	Ethylene dichloride, 1,1,1-trichloroethane, 1,1,2-trichloroethane, and 1,1,1,2-tetrachloroethanes (1,1,2,2-tetrachloroethane and 1,1,1,2-tetrachloroethane), trichloroethylene, tetrachloroethylene, carbon tetrachloride, chloroform, vinyl chloride, vinylidene chloride.
K020	Ethylene dichloride, 1,1,1-trichloroethane, 1,1,2-trichloroethane, and 1,1,1,2-tetrachloroethanes (1,1,2,2-tetrachloroethane and 1,1,1,2-tetrachloroethane), trichloroethylene, tetrachloroethylene, carbon tetrachloride, chloroform, vinyl chloride, vinylidene chloride.
K021	Antimony, carbon tetrachloride, chloroform.
K022	Phenol, tars (polycyclic aromatic hydrocarbons).
K023	Phthalic anhydride, maleic anhydride.
K024	Phthalic anhydride, 1,4-naphthoquinone.
K025	Meta-dinitrobenzene, 2,4-dinitrotoluene.
K026	Paraaldehyde, pyridines, 2-picoline.
K027	Toluene diisocyanate, toluene-2,4-diamine.
K028	1,1,1-trichloroethane, vinyl chloride.
K029	1,2-dichloroethane, 1,1,1-trichloroethane, vinyl chloride, vinylidene chloride, chloroform.
K030	Hexachlorobenzene, hexachlorobutadiene, hexachloroethane, 1,1,1,2-tetrachloroethane, 1,1,2,2-tetrachloroethane, ethylene dichloride.
K031	Arsenic.



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hazardous  
waste No.      Hazardous constituents for which listed

K090	Chromium.
K091	Chromium.
K093	Phthalic anhydride, maleic anhydride.
K094	Phthalic anhydride.
K095	1,1,2-trichloroethane, 1,1,1,2-tetrachloroethane,
	1,1,2,2-tetrachloroethane.
K096	1,2-dichloroethane, 1,1,1-trichloroethane,
	1,1,2-trichloroethane.
K097	Chlordane, heptachlor.
K098	Toxaphene.
K099	2,4-dichlorophenol, 2,4,6-trichlorophenol.
K100	Hexavalent chromium, lead, cadmium.
K101	Arsenic.
K102	Arsenic.
K103	Aniline, nitrobenzene, phenylenediamine.
K104	Aniline, benzene, diphenylamine, nitrobenzene,
	phenylenediamine.
K105	Benzene, monochlorobenzene, dichlorobenzenes,
	2,4,6-trichlorophenol.
K106	Mercury.
K111	2,4-Dinitrotoluene.
K112	2,4-Toluenediamine, o-toluidine, p-toluidine, aniline.
K113	2,4-Toluenediamine, o-toluidine, p-toluidine, aniline.
K114	2,4-Toluenediamine, o-toluidine, p-toluidine.
K115	2,4-Toluenediamine.
K116	Carbon tetrachloride, tetrachloroethylene,
	chloroform, phosgene.
K117	Ethylene dibromide.
K118	Ethylene dibromide.
K123	Ethylene thiourea.
K124	Ethylene thiourea.
K125	Ethylene thiourea.
K126	Ethylene thiourea.
K131	Dimethyl sulfate, methyl bromide.
K132	Methyl bromide.
K136	Ethylene dibromide.
K141	Benzene, benz(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene,
	benzo(k)fluoranthene, dibenz(a,h)anthracene,
	indeno(1,2,3-cd)pyrene.
K142	Benzene, benz(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene,
	benzo(k)fluoranthene, dibenz(a,h)anthracene,
	indeno(1,2,3-cd)pyrene.
K143	Benzene, benz(a)anthracene, benzo(b)fluoranthene,
	benzo(k)fluoranthene.

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EPA  
hazardous  
waste No.      Hazardous constituents for which listed

K144	Benzene, benz(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene,
	benzo(k)fluoranthene, dibenz(a,h)anthracene.
K145	Benzene, benz(a)anthracene, benzo(a)pyrene, dibenz(a,h)anthracene, naphthalene.
K147	Benzene, benz(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene,
	benzo(k)fluoranthene, dibenz(a,h)anthracene,
	indeno(1,2,3-cd)pyrene.
K148	Benz(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene,
	benzo(k)fluoranthene, dibenz(a,h)anthracene,
	indeno(1,2,3-cd)pyrene.
K149	Benzotrifluoride, benzyl chloride, chloroform, chloromethane,
	chlorobenzene, 1,4-dichlorobenzene, hexachlorobenzene,
	pentachlorobenzene, 1,2,4,5-tetrachlorobenzene, toluene.
K150	Carbon tetrachloride, chloroform, chloromethane,
	1,4-dichlorobenzene, hexachlorobenzene, pentachlorobenzene,
	1,2,4,5-tetrachlorobenzene, 1,1,2,2-tetrachloroethane,
	tetrachloroethylene, 1,2,4-trichlorobenzene.
K151	Benzene, carbon tetrachloride, chloroform, hexachlorobenzene,
	pentachlorobenzene, toluene, 1,2,4,5-tetrachlorobenzene,
	tetrachloroethylene.
K156	Benomyl, carbatyl, carbendazim, carbofuran, carbosulfan,
	formaldehyde, methylene chloride, triethylamine.
K157	Carbon tetrachloride, formaldehyde, methyl chloride, methylene
	chloride, pyridine, triethylamine.
K158	Benomyl, carbendazim, carbofuran, carbosulfan, chloroform,
	methylene chloride.
K159	Benzene, butylate, EPTC, molinate, pebulate, vernolate.
K160	Benzene, butylate, EPTC, molinate, pebulate, vernolate.
K161	Antimony, arsenic, metam-sodium, ziram.

N.A.--Waste is hazardous because it fails the test for the characteristic of ignitability, corrosivity or reactivity.

10963

(Source: AUG 1996 at 20 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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## Section 721.APPENDIX H Hazardous Constituents

Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
<u>A2213</u>	<u>Ethanimidothioic acid, 2-(dimethylamino)-N-hydroxy-2-oxo-, methyl ester</u>	<u>30558-43-1</u>	<u>U394</u>
Acetonitrile	Same	75-05-8	U003
Acetophenone	Ethanone, 1-phenyl-	98-86-2	U004
2-Acetylaminofluorene	Acetamide, N-9H-fluoren-2-yl-	53-96-3	U005
Acetyl chloride	Same	75-36-5	U006
1-Acetyl-2-thiourea	Acetamide, N-(aminothioxomethyl)-	591-08-2	P002
Acrolein	2-Propenal	107-02-8	P003
Acrylamide	2-Propenamide	79-06-1	U007
Acrylonitrile	2-Propenenitrile	107-13-1	U009
Aflatoxins	Same	1402-68-2	
Aldicarb	Propanal, 2-methyl-2-(methylthio)-, 0-[(methylamino)carbonyl] oxime	116-06-3	P070
<u>Aldicarb sulfone</u>	<u>Propanal, 2-methyl-2-(methylsulfonyl)-, 0-[(methylamino)carbonyl]-, oxime</u>	<u>1646-88-4</u>	<u>P203</u>
Aldrin	1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-, 1,4,4a,5,8a-hexahydro-, 1-alpha, 4-alpha 4a-beta, 5-alpha, 8-alpha 8a-beta)-	309-00-2	P004
Allyl alcohol	2-Propen-1-ol	107-18-6	P005
Allyl chloride	1-Propene, 3-chloro-	107-18-6	
Aluminum phosphide	Same	20859-73-8	P006
4-Aminobiphenyl	[1,1'-Biphenyl] -4-amine	92-67-1	
5-(Aminomethyl)-3-isoxazolol	3(2H)-Isoxazolone, 5-(aminomethyl)-	2763-96-4	P007
4-Aminopyridine	4-Pyridinamine	504-24-5	P008
Amirole	1H-1,2,4-Triazol-3-amine	61-82-5	U011
Ammonium vanadate	Vanadic acid, ammonium salt	7803-55-6	U119
Aniline	Benzenamine	62-53-3	U012
Antimony	Same	7440-36-0	
Antimony compounds, N.O.S.			
Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Aramite	Sulfurous acid, 2-chloroethyl-, 2-[4-(1,1-dimethylethyl)phenoxy]-1-methylethyl ester	140-57-8	
Arsenic	Arsenic	7440-38-2	
Arsenic compounds, N.O.S			
Arsenic acid	Arsenic acid H[3]AsO[4]	7778-39-4	P010
Arsenic pentoxide	Arsenic oxide As[2]O[5]	1303-28-2	P011
Arsenic trioxide	Arsenic oxide As[2]O[3]	1327-53-3	P012
Auramine	Benzenamine, 4,4'-carbonimidoylbis(N, N-dimethyl-	492-80-8	U014
Azaserine	L-Serine, diazoacetate (ester)	115-02-6	U015
<u>Barban</u>	<u>Carbamic acid, (3-chloro-phenyl)-, 4-chloro-2-butynyl ester</u>	<u>101-27-9</u>	<u>U280</u>
Barium	Same	7440-39-3	
Barium compounds, N.O.S.			
Barium cyanide	Same	542-62-1	P013
<u>Bendiocarb</u>	<u>1,3-Benzodioxol-4-ol-2,2-dimethyl-, methyl carbamate</u>	<u>22781-23-3</u>	<u>U278</u>
<u>Bendiocarb phenol</u>	<u>1,3-Benzodioxol-4-ol-2,2-dimethyl-, methyl carbamate</u>	<u>22961-82-5</u>	<u>U364</u>
<u>Benomyl</u>	<u>Carbamic acid, [1-(butylamino)carbonyl]-1H-benzimidazol-2-yl]-, methyl ester</u>	<u>17804-35-2</u>	<u>U271</u>
Benzo[c]acridine	Same	225-51-4	U016
Benzo[a]anthracene	Same	56-55-3	U018
Benzo[k]chloride	Benzo[k]chloride	98-87-3	U017
Benzo[e]carboxylic acid	Same	71-43-2	U018
Benzo[d]pyrene	Arsonic acid, phenyl-[1,1'-Biphenyl] -4,4'-diamine	98-05-5	U021
p-Benzoquinone	Same	92-87-5	
Benzo[b]fluoranthene	Benzo[e]acephenanthrylene	205-99-2	
Benzo[j]fluoranthene	Same	205-82-3	
Benzo[k]fluoranthene	Same	207-08-9	
Benzo[a]pyrene	Same	50-32-8	U022
p-Benzoquinone	2,5-Cyclohexadiene-1,4-dione	106-51-4	U197
Benzo[trichloride	Benzo[trichloride	98-07-7	U023

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Benzyl chloride	(trichloromethyl)-benzene, (chloromethyl)-	100-44-7	P028
Beryllium powder	Same	7440-41-7	P015
Beryllium compounds, N.O.S.			
Bis(dibutylcarbamothioato)dioxodimolybdenum sulfurized	Molybdenum, bis (dibutylcarbamothioato)dioxodi-, sulfurized	68412-26-0	U389
Bis(pentamethylene)thiuram tetrasulfide	Piperidine, 1,1'-(tetra-thiodicarbonylthioyl)-bis-	120-54-7	U400
Bromoacetone	2-Propanone, 1-bromo	598-31-2	P017
Bromoform	Methane, tribromo-	75-25-2	U225
4-Bromophenyl phenyl ether	Benzene	101-55-3	U030
Brucine	1-bromo-4-phenoxy	357-57-3	P018
	Strychnidin-10-one,		
	2,3-dimethoxy-		
Butylate	Carbamothioic acid, bis-(2-methylpropyl)-, S-ethyl ester	2008-41-5	U392
Butyl benzyl phthalate	1,2-Benzenedicarboxylic acid, butyl	85-68-7	
Cacodylic acid	phenylmethyl ester		
Cadmium	Arsenic acid, dimethyl-	75-60-5	U136
Cadmium compounds, N.O.S.	Same	7440-43-9	
Calcium chromate	Chromic acid H <sub>2</sub> CrO <sub>4</sub> (4), calcium salt	13765-19-0	U032
Calcium cyanide	Calcium cyanide Ca(CN) <sub>2</sub> (2)	592-01-8	P021
Carbaryl	1-Naphthalenol, methyl-carbamate	63-25-2	U279
Carbendazim	Carbanic acid, 1H-benzimidazol-2-yl, methyl ester	10605-21-7	U372
Carbofuran	7-Benzofuranol, 2,3-dihydro-2,2-dimethyl-, methylcarbamate	1563-66-2	P127
Carbofuran phenol	7-Benzofuranol, 2,3-dihydro-2,2-dimethyl-	1563-38-8	U367
Carbosulfan	dihydro-2,2-dimethyl-carbanic acid, [(dibutyl-amino)thio] methyl-, 2,3-dihydro-2,2-dimethyl-7-benzofuranyl ester	55285-14-8	P189
Carbon disulfide	Same		
Carbon oxyfluoride	Carbonic difluoride	75-15-0	P022
		353-50-4	U033

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Carbon tetrachloride	Methane, tetrachloro-	56-23-5	U211
Chloral	Acetaldehyde, trichloro-	75-87-6	U034
Chlorambucil	Benzenebutanoic acid 4-[bis(2-chloroethyl)amino]-	305-03-3	U035
Chlordane	4,7-Methano-1H-indene, 1,2,4,5,6,7,8,8-octachloro-2,3,3a,4,7,7a-hexahydro-	57-74-9	U036
Chlordane, alpha and gamma isomers			
Chlorinated benzenes, N.O.S.			
Chlorinated ethane, N.O.S.			
Chlorinated fluorocarbons, N.O.S.			
Chlorinated naphthalene, N.O.S.			
Chlorinated phenol, N.O.S.			
Chloronaphazine	Naphthalenamine, N, '-bis(2-chloroethyl)-	494-03-1	U026
Chloroacetaldehyde	Acetaldehyde, chloro-	107-20-0	P023
Chloroalkyl ethers, N.O.S.			
p-Chloroaniline	Benzenamine, 4-chloro-	06-47-8	P024
Chlorobenzene	Benzene, chloro-	108-90-7	U037
Chlorobenzilate	Benzenecetic acid, 4-chloro-alpha-(4-chlorophenyl)-alpha-hydroxy-, ethyl ester	510-15-6	U038
p-Chloro-m-cresol	Phenol, 4-chloro-3-methyl-	59-50-7	U039
2-Chloroethyl vinyl ether	Ethene, (2-chloroethoxy)-	110-75-8	U042
Chloroform	Methane, trichloro-	67-66-3	U044
Chloromethyl methyl ether	Methane, chloromethoxy-	107-30-2	U046
beta-Chloronaphthalene	Naphthalene, 2-chloro-	91-58-7	U047
o-Chlorophenol	Phenol, 2-chloro-	95-57-8	U048
1-(o-Chlorophenyl) thiourea	Thiourea, (2-chlorophenyl)-	5344-82-1	P026
Chloroprene	1,3-Butadiene, 2-chloro-	126-99-8	
3-Chloropropionitrile	Propanenitrile,	542-76-7	P027



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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Chromium compounds, N.O.S.	3-chloro-Same	7440-47-3	
Chrysene	Same	218-01-9	U050
Citrus red No. 2	2-Naphthalenol, 1-[(2, 5-dimethoxyphenyl)azo]-	6358-53-8	
Coal tar creosote	Same	8007-45-2	
Copper cyanide	Copper cyanide CuCN	544-92-3	P029
Copper dimethyldithiocarbamate	Copper, bis(dimethylcarbamodithioato-S,S')-	137-29-1	U393
Creosote	Same		U051
Cresols (Cresylic acid)	Phenol, methyl-	1319-77-3	U052
Crotonaldehyde	2-Butenal	4170-30-3	U053
m-Cumenyl methylcarbamate	Phenol, 3-(methylethyl)-, methyl carbamate	64-00-6	P202
Cyanides (soluble salts and complexes), N.O.S.			P030
Cyanogen	Ethanedinitrile	460-19-5	P031
Cyanogen bromide	Cyanogen bromide (CN)Br	506-68-3	U246
Cyanogen chloride	Cyanogen chloride (CN)Cl	506-77-4	P033
Cycasin	Beta-D-glucopyranoside, (methyl-ONN-azoxy)methyl	14901-08-7	
Cycloate	Carbamothioic acid, cyclohexylethyl-, S-ethyl ester	1134-23-2	U386
2-Cyclohexyl-4, 6-dinitrophenol	Phenol, 2-cyclohexyl-4, 6-dinitro-	131-89-5	P034
Cyclophosphamide	2H-1, 3, 2-Oxazaphosphorin-2-amine, N, N-bis(2-chloroethyl) tetrahydro-, 2-oxide	50-18-0	U058
2,4-D	Acetic acid, (2,4-dichlorophenoxy)-	94-75-7	U240
2,4-D, salts and esters	Acetic acid, (2,4-dichlorophenoxy)-, salts and esters		U240
Daunomycin	5, 12-Naphthacenedione, 8-acetyl-10-[(3-amino-2,3,6-trideoxy-alpha-L-lyxohexopyranosyl)oxy]	20830-81-3	U059

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Dazomet	-7,8,9,10-tetrahydro-6, 8,11-trihydroxy-1-methoxy-, 8S-cis)-2H-1,3,5-thiadiazine-2-thione, tetrahydro-3,5-dimethyl	533-74-4	U366
DDD	Benzene, 1,1'-(2,2-dichloroethylidene) bis(4-chloro-	72-54-8	U060
DDE	Benzene 1,1'-(dichloroethylidene)bis [4-chloro-	72-55-9	
DDT	Benzene, 1, 1'-(2, 2, 2-trichloroethylidene) bis(4-chloro-carbamothioic acid, bis(1-methylethyl)-, S-(2, 3-dichloro-2-propenyl) ester	50-29-3	U061
Diallate	Same	2303-16-4	U062
Dibenza[a,h]acridine	Same	226-36-8	
Dibenz[a,j]acridine	Same	224-42-0	
Dibenz[a,h]anthracene	Same	53-70-3	U063
7H-Dibenzo[c,g]carbazole	Same	194-59-2	
Dibenzo[a,e]pyrene	Naphtho[1,2,3, 4-def]chrysene	192-65-4	
Dibenzo[a,h]pyrene	Dibenzo[b,def]chrysene	189-64-0	U064
Dibenzo[a,i]pyrene	Benzo[rs]pentaphene	189-55-9	U066
1,2-Dibromo-3-chloropropane	propane, 1,2-dibromo-3-chloro-	96-12-8	
Dibutyl phthalate	1,2-Benzenedicarboxylic acid, dibutyl ester	84-74-2	U069
o-Dichlorobenzene	Benzene, 1,2-dichloro-	95-50-1	U070
m-Dichlorobenzene	Benzene, 1,3-dichloro-	541-73-1	U071
p-Dichlorobenzene	Benzene, 1,4-dichloro-	106-46-7	U072
Dichlorobenzene, N.O.S.	Benzene, dichloro-, [1,1'-Biphenyl]-4,4'-diamine, 3,3'-dichloro-	25321-22-6	
1,4-Dichloro-2-butene	2-Butene, 1,4-dichloro-	91-94-1	U073
Dichlorodifluoromethane	Methane, dichlorodifluoro-	764-41-0	U074
Dichloroethylene, N.O.S.	Dichloroethylene	75-71-8	U075
1,1-Dichloroethylene	Ethene, 1,1-dichloro-	25323-30-2	
		75-35-4	U078

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
1,2-Dichloroethylene	Ethene, 1,2-dichloro-, (E)-	156-60-5	U079
Dichloroethyl ether	Ethane, 1,1'-oxybis(2-chloro-	111-44-4	U025
Dichloroisopropyl ether	Propane, 2,2'-oxybis[2-chloro-	108-60-1	U027
Dichloromethoxyethane	Ethane, 1,1'-[methylenebis(oxy)bis- [2-chloro-	111-91-1	U024
Dichloromethyl ether	Methane, oxybis(chloro-	542-88-1	P016
2,4-Dichlorophenol	Phenol, 2,4-dichloro-	120-83-2	U081
2,6-Dichlorophenol	Phenol, 2,6-dichloro-	87-65-0	U082
Dichlorophenyl-arsine	Arsinous dichloride phenyl-	696-28-6	P036
Dichloropropane, N.O.S.	Propane, dichloro-	26638-19-7	
Dichloropropanol, N.O.S.	Propanol, dichloro-	26545-73-3	
Dichloropropene, N.O.S.	1-Propene, dichloro-	26952-23-8	
1,3-Dichloropropene	1-Propene, 1,3-dichloro-	542-75-6	U084
Diethrin	2,7:3,6-Dimethanonaphth [2,3-b]oxirene, 3,4, 5,6,9,9-hexachloro-1a, 2,2a,3,6,6a,7,7a-octahydro-, (1a alpha, 2 beta, 2a alpha, 3 beta, 6 beta, 6a alpha, 7 beta, 7a alpha)-	60-57-1	P037
1,2:3,4-Diepoxybutane	2,2'-Bioxirane	1464-53-5	U085
Diethylarsine	Arsine, diethyl-	692-42-2	P038
Diethylene glycol dicarbamate	Ethanol, 2,2'-oxybis-, dicarbamate	5952-26-1	U395
1,4-Diethyleneoxide	1,4-Dioxane	123-91-1	U108
Diethylhexyl phthalate	1,2-Benzenedicarboxylic acid, bis(2-ethylhexyl) ester	117-81-7	U028
N,N'-Diethylhydrazine	Hydrazine, 1,2-diethyl-	1615-80-1	U086
O,O-Diethyl S-methyl dithiophosphate	Phosphorodithioic acid, O,O-diethyl S-methyl ester-	3288-58-2	U087
Diethyl-p-nitro-	Phosphoric acid, diethyl	311-45-5	P041

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
nitrophenyl phosphate	4-nitrophenyl ester		
Diethyl phthalate	1,2-Benzenedicarboxylic acid, diethyl ester-	84-66-2	U088
O,O-Diethyl O-pyrazinyl phosphorothioate	Phosphorothioic acid, O,O-diethyl O-pyrazinyl ester-	297-97-2	P040
Diethylstilbestrol	Phenol, 4,4'-(1,2-diethylpyrazinyl ester-1,2-ethenediyl)bis-, (E)-	56-53-1	U089
Dihydrosafrole	1,3-Benzodioxole, 5-propyl-	94-58-6	U090
Diisopropyl fluorophosphate (DPP)	Phosphorofluoridic acid, bis(1-methylethyl) ester-	55-91-4	P043
Dimethoate	Phosphorodithioic acid, O,O-dimethyl S-[2-(methylamino)-2-oxoethyl] ester	60-51-5	P044
Dimetilan	Carbamic acid, dimethyl-, 1-[(dimethylamino)carbonyl]-5-methyl-1H-pyrazol-3-yl ester	644-64-4	P191
3,3'-Dimethoxy benzidine	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethoxy-	119-90-4	U091
p-Dimethylamino azobenzene	Benzenamine, N,N-dimethyl-4-(phenylazo)-	60-11-7	U093
7,12-Dimethylbenz[a]anthracene	Benz-[a]anthracene, 7,12-dimethyl-	57-97-6	U094
3,3'-Dimethyl benzidine	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethyl-	119-93-7	U095
Dimethylcarbamoyl chloride	Carbamic chloride, dimethyl-	79-44-7	U097
1,1-Dimethylhydrazine	Hydrazine, 1,1-dimethyl-	57-14-7	U098
1,2-Dimethylhydrazine	Hydrazine, 1,2-dimethyl-	540-73-8	U099
alpha, alpha-Dimethyl phenethylamine	Benzenethanamine, alpha, alpha-dimethyl-	122-09-8	P046
2,4-Dimethylphenol	Phenol, 2,4-dimethyl-	105-67-9	U101
Dimethylphthalate	1,2-Benzenedicarboxylic acid, dimethyl ester	131-11-3	U102
Dimethyl sulfate	Sulfuric acid, dimethyl ester	77-78-1	U103

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number	Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Dinitrobenzene, N.O.S.	Benzene, dinitro	25154-54-5					
4,6-Dinitro-o-cresol	Phenol, 2-methyl-4,6-dinitro-	534-52-1	P047				
4,6-Dinitro-o-cresol salts			P047				
2,4-Dinitrophenol	Phenol, 2,4-dinitro-	51-28-5	P048	Ethyl carbamate (urethane)			U238
2,4-Dinitrotoluene	Benzene, 1-methyl-2,4-dinitro-	121-14-2	U105	Ethyl cyanide			P101
				Ethylenebisdithiocarbamic acid			U114
2,6-Dinitrotoluene	Benzene, 2-methyl-1,3-dinitro-	606-20-2	U106	Ethylenebisdithiocarbamic acid, salts and esters			U114
Dinoseb	Phenol, 2-(1-methylpropyl)-4,6-dinitro-	88-85-7	P020	Ethylene dibromide			U067
Di-n-octyl phthalate	1,2-Benzenedicarboxylic acid, dioctyl ester	117-84-0	U107	Ethylene dichloride			U077
Diphenylamine	Benzenamine, N-phenyl-	122-39-4	U109	Ethylene glycol monoethyl ether			U359
1,2-Diphenylhydrazine	Hydrazine, 1,2-diphenyl	122-66-7	U111	Ethyleneimine			P054
Di-n-propyl nitrosamine	1-Propanamine, N-nitroso-N-propyl-	621-64-7		Ethylene oxide			U115
Disulfiram	Thiopropoxydicarbonic diamide, tetraethyl	97-77-8	U403	Ethylene thiourea			U116
Disulfoton	Phosphorodithioic acid, O,O-diethyl S-[2-(ethylthio)ethyl] ester	298-04-4	P039	Ethylidene dichloride			U076
Dithiobiuret	Thioimidocarbonic diamide [(H[2]N)C(S)][2]NH	541-53-7	P049	Ethyl methacrylate			U118
Endosulfan	6,9-Methano-2,4,3-benzodioxathiepen,6,7,8,9,10,10-hexachloro-1,5,5a,6,9,9a-hexahydro-3-oxide,	115-29-7	P050	Ethyl methanesulfonate			U119
	7-Oxabicyclo[2.2.1]heptane-2,3-dicarboxylic acid	145-73-3	P088	Ethyl ziram			U407
Endothal	2,7:3,6-Dimethanonaphth[2,3-b]oxirane,3,4,5,6,9,9-hexachloro-1a,2,2a,3,6,6a,7,7a-octahydro-, (1a alpha, 2 beta, 2a beta, 3 alpha, 6 alpha, 6a beta, 7 beta, 7a alpha)-,	72-20-8	P051	Famphur			P097
Endrin-				Ferbam			U396
				Fluoranthene			U120
				Fluorine			P056
				Fluoroacetamide			P057
				Fluoroacetic acid, sodium salt			P058
				Formaldehyde			U122
Endrin metabolites			P051	Formetanate hydrochloride			P198
Epichlorohydrin	Oxirane, (chloromethyl)-1,2-Benzenediol,	106-89-8	U041				
Epinephrine		51-43-4	P042				U123

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
	4-[1-hydroxy-2-(methylamino)ethyl]-, (B)-Carbamothioic acid, dipropyl-, S-ethyl ester	759-94-4	U390
	Carbamic acid, ethyl ester	51-79-6	U238
	Propanenitrile	107-12-0	P101
	Carbamodithioc acid, -1,2-ethanedithiolbis-	111-54-6	U114
			U114
	Ethane, 1,2-dibromo-	106-93-4	U067
	Ethane, 1,2-dichloro-	107-06-2	U077
	Ethanol, 2-ethoxy-	110-80-5	U359
	Aziridine	151-56-4	P054
	Oxirane	75-21-8	U115
	2-Imidazolidinethione	96-45-7	U116
	Ethane, 1,1-dichloro-	75-34-3	U076
	2-Propenoic acid, 2-methyl-, ethyl ester	97-63-2	U118
	Methanesulfonic acid, ethyl ester	62-50-0	U119
	Zinc, bis(diethylcarbamodithioato-S,S')-	14324-55-1	U407
	Phosphorothioic acid, 0-[4-((dimethylamino)sulfonyl)phenyl]	52-85-7	P097
	O,O-dimethyl ester		
	Iron, tris(dimethylcarbamodithioato-S,S')-	14484-64-1	U396
	Same	206-44-0	U120
	Same	7782-41-4	P056
	Acetamide, 2-fluoro-	640-19-7	P057
	Acetic acid, fluoro-, sodium salt	62-74-8	P058
	Same	50-00-0	U122
	Methanimidamide, N,N-dimethyl-N'-[3-[[[methylamino]carbonyl]-oxy]phenyl]-, monohydrochloride	23422-53-9	P198
	Same	64-18-16	U123



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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Formparanate	Methanimidamide, N,N-dimethyl-N'-[2-methyl-4-[[[(methylamino)-carbonyl]oxy]phenyl]- Oxiranecarboxaldehyde	17702-57-7	P197
Glycidylaldehyde	4,7-Methano-1H-indene, 1,4,5,6,7,8,8-heptachloro-3a	765-34-4	U126
Halomethanes, N.O.S.	4,7-Methano-1H-indene, 1,4,5,6,7,8,8-heptachloro-3a	76-44-8	P059
Heptachlor	4,7,7a-tetrahydro-2,5-Methano-2H-indeno[1,2b]oxirene, 2,3,4,5,6,7,7-heptachloro-1a, 1b,5,5a,6,6a-hexahydro-, (1a alpha, 1b beta, 2 alpha, 5 alpha, 5a beta, 6 beta, 6a alpha)-	1024-57-3	
Heptachlor epoxide			
Heptachlor epoxide (alpha, beta, and gamma isomers)			
Heptachlorodibenzofurans			
Heptachlorodibenzo-p-dioxins			
Hexachlorobenzene	Benzene, hexachloro-1,3-Butadiene, 1,1,2,3,4,4-hexachloro-	118-74-1	U127
Hexachlorobutadiene		87-68-3	U128
Hexachlorocyclopentadiene	1,3-Cyclopentadiene, 1,2,3,4,5-hexachloro-		
Hexachlorodibenzo-p-dioxins			
Hexachlorodibenzofurans			
Hexachloroethane	Ethane, hexachloro-Phenol, 2,2'-methylene-bis [3,4,6-trichloro-1-propene, 1,1,2,3,3,3-hexachloro-	67-72-1	U131
Hexachlorophene		70-30-4	U132
Hexachloropropene		1888-71-7	U243
Hexaethyltetraphosphate	Tetraphosphoric acid, hexaethyl ester	757-58-4	P062
Hydrazine	Same	302-01-2	U133
Hydrogen cyanide	Hydrocyanic acid	74-90-8	P063
Hydrogen fluoride	Hydrofluoric acid	7664-39-3	U134
Hydrogen sulfide	Hydrogen sulfide H[2]S	7783-06-4	U135

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Indeno[1,2,3-cd]pyrene	Same	193-39-5	U137
3-Iodo-2-propynyl-n-butylcarbamate	Carbamic acid, butyl-, 3-iodo-2-propynyl ester	55406-53-6	U375
Isobutyl alcohol	1-Propanol, 2-methyl-	78-83-1	U140
Isodrin	1,4:5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a-hexahydro-, (1 alpha, 4 alpha, 4a beta, 5 beta, 8 beta, 8a beta)-	465-73-6	P060
Isolan	Carbamic acid, dimethyl-, 3-methyl-1-(1-methyl-ethyl)-1H-pyrazol-5-yl ester	119-38-0	P192
Isosafrole	1,3-Benzodioxole, 5-(1-propenyl)-	120-58-1	U141
Kepone	1,3,4-Metheno-2H-cyclobuta[cd]pentalen-2-one, 1,1a,3,3a,4,5,5a,5b,6-decachlorooctahydro-, 2-Butenoic acid, 2 methyl-, 7-[[2,3-dihydroxy-2-(1-methoxyethyl)-3-methyl-1-oxobutoxy]methyl]-2,3,5,7a-tetrahydro-1H-pyrrolizin-1-yl ester, [1S-[1-alpha(Z), 7(2S*, 3R*), 7a alpha]]-Same	143-50-0	U142
Lasiocarpine	5a,5b,6-decachlorooctahydro-, 2-Butenoic acid, 2 methyl-, 7-[[2,3-dihydroxy-2-(1-methoxyethyl)-3-methyl-1-oxobutoxy]methyl]-2,3,5,7a-tetrahydro-1H-pyrrolizin-1-yl ester, [1S-[1-alpha(Z), 7(2S*, 3R*), 7a alpha]]-Same	303-34-1	U143
Lead			
Lead and compounds, N.O.S.			
Lead acetate	Acetic acid, lead (2+) salt	301-04-2	U144
Lead phosphate	Phosphoric acid, lead (2+) salt (2:3)	7446-27-7	U145
Lead subacetate	Lead, bis(acetato-O)tetrahydroxytri-	1335-32-6	U146
Lindane	Cyclohexane, 1,2,3,4,5,6-hexachloro-, 1 alpha, 2 alpha, 3 beta, 4 alpha, 5 alpha, 6 beta)-2,5-Furandione	58-89-9	U129
Maleic anhydride	3,6-Pyridazinedione, 1,2	108-31-6	U147
Maleic hydrazide		123-33-1	U148

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number	Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
	-dihydro-(Propane dinitrile- Propanedinitrile Manganese dimethyldithio- carbamate Methaphalan	109-77-3 15339-36-3 148-82-3	U149 P196 U150	Methyl isocyanate 2-Methyl lactonitrile Methyl methacrylate Methyl methanesulfonate Methyl parathion	Methane, isocyanato- Propanenitrile, 2- hydroxy-2-methyl- 2-Propenoic acid, 2- methyl-, methyl ester Methanesulfonic acid, methyl ester Phosphorothioic acid, O,O-dimethyl O- (4-nitrophenyl) ester 4-(1H)- Pyrimidinone, 2,3-dihydro- 6-methyl-2-thioxo- Carbamic acid, methyl- 3-methylphenyl ester Phenol, 4-(dimethylamino)- 3,5-dimethyl-, methyl- carbamate (ester) Azirino[2', 3':3, 4] pyrrolo[1,2-a]indole-4, 7-dione, 6-amino-8- [[[(aminocarbonyl)oxy]methyl] -1,1a,2,8,8a,8b- hexahydro-8a-methoxy-5- methyl-, [1a-S-(1a alpha, 8 beta, 8a alpha, 8b alpha)]-, 1H-Azepine-1-carbothioic acid, hexahydro-, S-ethyl ester Guanidine, N-methyl-N'- -nitro-N-nitroso- Ethane, 1,1'-thiobis [2-chloro- Same 1,4-Naphthalenedione 1-Naphthalenamine 2-Naphthalenamine Thiourea, 1-naphthalenyl- thiourea Nickel Nickel compounds, N.O.S. Nickel carbonyl Nickel carbonyl	624-83-9 75-86-5 80-62-6 66-27-3 298-00-0 56-04-2 1129-41-5 315-18-4 50-07-7 2212-67-1 70-25-7 505-60-2 91-20-3 130-15-4 134-32-7 91-59-8 86-88-4 7440-02-0 13463-39- 3	P064 P069 U162 P071 U164 P190 P128 U010 U365 U163 U165 U165 U166 U167 U168 P072 P073
Mercury Mercury compounds, N.O.S. Mercury fulminate	Same Fulminic acid, mercury (2+) salt Carbamodithioic acid, methyl-, monosodium salt 2-Propenenitrile, 2-methyl- 1,2 Ethanediamine, N,N- dimethyl-N'-2-pyridinyl -N'-(2-thienylmethyl)- Phenol, (3,5-dimethyl-4- (methylthio)-, methyl- carbamate Ethanimidothioic acid, N-[(methylamino)carbonyl] oxyl-, methyl ester Benzene, 1,1'-(2,2,2- trichloroethylidene) bis(4-methoxy- Methane, bromo- Methane, chloro- Carbonochloridic acid, methyl ester Ethane, 1,1,1-trichloro- Benz[ <i>f</i> ]aceanthrylene, 1,2-dihydro-3-methyl- Benzonamine, 4,4'- methylenebis[2-chloro- Methane, dibromo- Methylene chloride Methyl ethyl ketone (MEK) ketone peroxide Methyl hydrazine Methyl iodide	7439-97-6 628-86-4 137-42-8 126-98-7 91-80-5 2032-65-7 16752-77-5 72-43-5 74-83-9 74-87-3 79-22-1 71-55-6 56-49-5 101-14-4 74-95-3 75-09-2 78-93-3 1338-23-4 60-34-4 74-88-4	U151 P065 U384 U152 U155 P199 P066 U247 U029 U045 U156 U226 U157 U158 U068 U080 U159 U160 P068 U138	Methyl isocyanate 2-Methyl lactonitrile Methyl methacrylate Methyl methanesulfonate Methyl parathion Methylthiouracil Metolcarb Mexacarbate Mitomycin C Mollinate MNNG Mustard gas Naphthalene 1,4-Naphthoquinone alpha-Naphthylamine beta-Naphthylamine alpha-Naphthyl thiourea Nickel Nickel compounds, N.O.S. Nickel carbonyl Nickel carbonyl	Methane, isocyanato- Propanenitrile, 2- hydroxy-2-methyl- 2-Propenoic acid, 2- methyl-, methyl ester Methanesulfonic acid, methyl ester Phosphorothioic acid, O,O-dimethyl O- (4-nitrophenyl) ester 4-(1H)- Pyrimidinone, 2,3-dihydro- 6-methyl-2-thioxo- Carbamic acid, methyl- 3-methylphenyl ester Phenol, 4-(dimethylamino)- 3,5-dimethyl-, methyl- carbamate (ester) Azirino[2', 3':3, 4] pyrrolo[1,2-a]indole-4, 7-dione, 6-amino-8- [[[(aminocarbonyl)oxy]methyl] -1,1a,2,8,8a,8b- hexahydro-8a-methoxy-5- methyl-, [1a-S-(1a alpha, 8 beta, 8a alpha, 8b alpha)]-, 1H-Azepine-1-carbothioic acid, hexahydro-, S-ethyl ester Guanidine, N-methyl-N'- -nitro-N-nitroso- Ethane, 1,1'-thiobis [2-chloro- Same 1,4-Naphthalenedione 1-Naphthalenamine 2-Naphthalenamine Thiourea, 1-naphthalenyl- thiourea Nickel Nickel compounds, N.O.S. Nickel carbonyl Nickel carbonyl	624-83-9 75-86-5 80-62-6 66-27-3 298-00-0 56-04-2 1129-41-5 315-18-4 50-07-7 2212-67-1 70-25-7 505-60-2 91-20-3 130-15-4 134-32-7 91-59-8 86-88-4 7440-02-0 13463-39- 3	P064 P069 U162 P071 U164 P190 P128 U010 U365 U163 U165 U165 U166 U167 U168 P072 P073

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Nickel cyanide	Nickel cyanide Ni(CN) <sub>2</sub>	557-19-7	P074
Nicotine	Pyridine, 3-(1)-methyl -2-pyrrolidinyl)-, (S)-	54-11-5	P075
Nicotine salts	Nitrogen oxide NO	10102-43-9	P075
Nitric oxide	Benzenamine, 4-nitro	100-01-6	P076
p-Nitroaniline	Benzenamine, 4-nitro	100-01-6	P077
Nitrobenzene	Benzenamine, 4-nitro	98-95-3	P078
Nitrogen dioxide	Nitrogen oxide NO <sub>2</sub>	10102-44-0	P078
Nitrogen mustard	Ethanamine, 2-chloro-N- (2-chloroethyl)-N-methyl-	51-75-2	
Nitrogen mustard, hydrochloride salt			
Nitrogen mustard N-oxide	Ethanamine, 2-chloro-N- (2-chloroethyl)-N-methyl-, N-oxide	126-85-2	
Nitrogen mustard, N-oxide, hydrochloride salt			
Nitroglycerin	1,2,3-Propanetriol, trinitrate	55-63-0	P081
p-Nitrophenol	Phenol, 4-nitro	100-02-7	U170
2-Nitropropane	Propane, 2-nitro	79-46-9	U171
Nitrosamines, N.O.S.		35576-91-1	
N-Nitrosodi-n-butylamine	1-Butanamine, N-butyl- N-butyl-N-nitroso-	924-16-3	U172
N-Nitrosodiethanolamine	Ethanol, 2,2'- (nitrosolmino)bis	1116-54-7	U173
N-Nitrosodiethylamine	Ethanamine, N-ethyl-N- -nitroso	55-18-5	U174
N-Nitrosodimethylamine	Methanamine, N-methyl- -N-nitroso-	62-75-9	P082
N-Nitroso-N-ethylurea	Urea, N-ethyl-N-nitroso-	759-73-9	U176
N-Nitrosomethylethylamine	Ethanamine, N-methyl- N-nitroso	10595-95-6	
N-Nitroso-N-methylurea	Urea, N-methyl-N-nitroso-	684-93-5	U177
N-Nitroso-N-Methylurethane	Carbamic acid, methyl nitroso-, ethyl ester	615-53-2	U178
N-Nitrosomethyl- vinylamine	Vinylamine, N-methyl-N-nitroso-	4549-40-0	P084
N-Nitrosomorpholine	Morpholine, 4-nitroso	59-89-2	
N-Nitrosornicotine	Pyridine, 3-(1-nitroso- 2-pyrrolidinyl)-, (S)-	16543-55-8	

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
N-Nitrosopiperidine	Piperidine, 1-nitroso-	100-75-4	U179
N-Nitrosopyrrolidine	Pyrrolidine, 1-nitroso-	930-55-2	U180
N-Nitrososarcosine	Glycine, N-methyl -N-nitroso-	13256-22-9	
5-Nitro-o-toluidine	Benzenamine, 2-methyl- 5-nitro-	99-55-8	U181
Octamethyl pyrophosphoramide	Diphosphoramide, octamethyl-	152-16-9	P085
Osmium tetroxide	Osmium oxide OsO <sub>4</sub> (T-4)	0816-12-0	P087
Oxamyl	Ethanimidothioic acid, 2- [dimethylamino-N-[(methyl- amino)carbonyl]-oxy]-2- oxo-, methyl ester	23135-22- 0	P194
Paraldehyde	1,3,5-Trioxane, 2,4,6-trimethyl	123-63-7	U182
Parathion	Phosphorothioic acid, O,O-diethyl O- (4-nitrophenyl) ester	56-38-2	P089
Pebulate	Carbomethioic acid, butyl- ethyl-, S-propyl ester	1114-71-2	U391
Pentachlorobenzene	Benzene, pentachloro	608-93-5	U183
Pentachlorodibenzo -p-dioxins			
Pentachlorodibenzo- furans			
Pentachloroethane	Ethane, pentachloro	76-01-7	U184
Pentachloronitro- benzene (PCNB)	Benzene, pentachloro nitro-	82-68-8	U185
Pentachlorophenol	Phenol, pentachloro	87-86-5	See F027
Phenacetin	Acetamide, N- (4-ethoxyphenyl)-	62-44-2	U187
Phenol	Same	108-95-2	U188
Phenylenediamine	Benzenediamine	25265-76-3	
Phenylmercury acetate	Mercury, (acetato- O)phenyl	62-38-4	P092
Phenylthiourea	Thiourea, phenyl	103-85-5	P093
Phosgene	Carbonic dichloride	75-44-5	P095
Phosphine	Same	7803-51-2	P096
Phorate	Phosphorodithioic acid, O,O-diethyl S-[(ethylthio)methyl] ester	298-02-2	P094
Phthalic acid esters,			



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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
N.O.S.			
Phthalic anhydride	1,3-Isobenzofurandione	85-44-9	U190
Physostigmine	Pyrolo[2,3-b]indol-5-ol, 1,2,3,3a,8,8a-hexahydro- 1,3a,8-trimethyl-, methyl- carbamate (ester), (3aS-cis)-	57-47-6	P204
Physostigmine Salicylate	Benzoic acid, 2-hydroxy-, compound with (3aS-cis)-1,2,3,3a,8,8a-hexahydro-1,3a,8-trimethylpyrrolo-[2,3-b]indol-5-yl methyl-carbamate ester (1:1)	57-64-7	P188
2-Picoline	Pyridine, 2-methyl-	109-06-8	U191
Polychlorinated biphenyls, N.O.S.	Same	151-50-8	P098
Potassium cyanide	Carbamodithioc acid, dimethyl-, potassium salt	128-03-0	U383
Potassium dimethyldithiocarbamate	Carbamodithioc acid, (hydroxymethyl)methyl-, monopotassium salt	51026-28-9	U378
Potassium hydroxymethyl-n-methyl-dithiocarbamate	Carbamodithioc acid, methyl-monopotassium salt	137-41-7	U377
Potassium n-methyldithiocarbamate	Argentate(1-), bis(cyano-C)-, potassium	506-61-6	P099
Potassium silver cyanide	Pentachlorophenol, potassium salt	7778736	None
Potassium pentachlorophenate	Phenol, 3-methyl-5-(1-methylethyl)-, methylcarbamate	2631-37-0	P201
Promecarb	Benzanide, 3,5-dichloro-N-(1,1-dimethyl-2-propynyl)-2,2-dioxide	23950-58-5	U192
Pronamide	Carbamic acid, phenyl-, 1-methylethyl ester	1120-71-4	U193
1,3-Propane sultone	Phenol, 2-(1-methylethoxy)-, methylcarbamate	122-42-9	U373
Propam	1-Propanamine	114-26-1	U411
Propoxur	2-Propyn-1-ol	107-10-8	U194
n-Propylamine		107-19-7	P102
Propargyl alcohol			
Propylene dichloride	Propane, 1,2-dichloro-		
1,2-Propylenimine	Aziridine, 2-methyl-		
Propylthiouracil	4(1H)-Pyrimidinone, 2,3-dihydro-6-propyl-2-thioxo-		
Prosulfocarb	Carbamothioic acid, dipropyl-, S-(phenyl-methyl) ester		
Pyridine	Same		
Reserpine	Yohimban-16-carboxylic acid, 11, 17-dimethoxy-18-[(3,4,5-trimethoxybenzoyl oxy)-, methyl ester, (3 beta, 16 beta, 17 alpha, 18 beta, 20 alpha)-, 1,3-Benzenediol		
Resorcinol	1,2-Benzoisothiazol-3(2H)-one, 1,1-dioxide		
Saccharin	1,3-Benzodioxole, 5-(2-propenyl)-		
Saccharin salts	Same		
Safrole	Same		
Selenium	Selenious acid		
Selenium compounds	Selenium dioxide		
N.O.S.	Selenium sulfide		
Selenium dioxide	Ses[2]		
Selenium sulfide	Carbamodithioic acid dimethyl-, tetrahydro-sulfide with orthothio-selenius acid		
Selenium, tetrakis (dimethyl-dithiocarbamate	Same		
Selenourea	Same		
Silver	Same		
Silver compounds, N.O.S.	Silver cyanide AgCN		
Silver cyanide	Propanoic acid, 2-(2,4,5-trichlorophenoxy)-		
Silvex (2,4,5-TP)	Sodium cyanide NaCN		
Sodium cyanide	Carbamodithioic acid, dibutyl-, sodium salt		
Sodium dibutyldithiocarbamate	Carbamodithioic acid, 148-18-5		
Sodium diethyldithio-			

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Propylene dichloride	Propane, 1,2-dichloro-	78-87-5	U083
1,2-Propylenimine	Aziridine, 2-methyl-	75-55-8	P067
Propylthiouracil	4(1H)-Pyrimidinone, 2,3-dihydro-6-propyl-2-thioxo-	51-52-5	
Prosulfocarb	Carbamothioic acid, dipropyl-, S-(phenyl-methyl) ester	52888-80-9	U387
Pyridine	Same	110-86-1	U196
Reserpine	Yohimban-16-carboxylic acid, 11, 17-dimethoxy-18-[(3,4,5-trimethoxybenzoyl oxy)-, methyl ester, (3 beta, 16 beta, 17 alpha, 18 beta, 20 alpha)-, 1,3-Benzenediol	50-55-5	U200
Resorcinol	1,2-Benzoisothiazol-3(2H)-one, 1,1-dioxide	108-46-3	U201
Saccharin	1,3-Benzodioxole, 5-(2-propenyl)-	81-07-2	U202
Saccharin salts	Same		
Safrole	Same		
Selenium	Selenious acid	94-59-7	U202
Selenium compounds	Selenium dioxide	94-59-7	U203
N.O.S.	Selenium sulfide	7782-49-2	U203
Selenium dioxide	Ses[2]		
Selenium sulfide	Carbamodithioic acid dimethyl-, tetrahydro-sulfide with orthothio-selenius acid		
Selenium, tetrakis (dimethyl-dithiocarbamate	Same		
Selenourea	Same		
Silver	Same		
Silver compounds, N.O.S.	Silver cyanide AgCN		
Silver cyanide	Propanoic acid, 2-(2,4,5-trichlorophenoxy)-		
Silvex (2,4,5-TP)	Sodium cyanide NaCN		
Sodium cyanide	Carbamodithioic acid, dibutyl-, sodium salt		
Sodium dibutyldithiocarbamate	Carbamodithioic acid, 148-18-5		
Sodium diethyldithio-			

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

## Common Name

## Chemical Abstracts Name

## Chemical Abstracts Number

## Hazardous Waste Number

carbamate  
Sodium dimethylthio-  
carbamate  
Sodium pentachlorophenolate

diethyl-, sodium salt  
Carbamodithioic acid,  
dimethyl-, sodium salt  
Pentachlorophenol, sodium  
salt

128-04-1  
131522

U382  
None

Streptozotocin

D-Glucose, 2-deoxy-2-  
[(methylnitrosoamino)  
carbonyl]amino]-

18893-66-4

U206

Strychnine  
Strychnine salts  
Sulfallate

Strychnidin-10-one

57-24-9

P108  
P108  
U277

TCDD

Carbamodithioic acid,  
diethyl-, 2-chloro-2-  
propenyl ester  
Dibenzob[e][1,4]  
dioxin, 2,3,7,8-  
tetrachloro-

95-06-7  
1746-01-6

U402

Tetrabutylthiuram disulfide

Thioperoxydicarbonic  
diamide, tetrabutyl  
Bis(dimethylthiocarbamoyl)  
sulfide

1634-02-2  
97-74-5

U401

1,2,4,5-Tetra  
chlorobenzene

Benzene, 1,2,4,5-  
tetrachloro

95-94-3

U207

Tetrachlorodibenzo-  
furans

Ethane, tetrachloro-,  
N.O.S.

25322-20-7

U208

1,1,1,2-Tetra  
chloroethane

Ethane, 1,1,1,2-  
tetrachloro-

630-20-6

U209

1,1,2,2-Tetra  
chloroethane

Ethane, 1,1,2,2-  
tetrachloro-

79-34-5

U210

Tetrachloroethylene

Ethene, tetrachloro-

127-18-4

See F027

2,3,4,6-Tetra  
potassium salt

Phenol, 2,3,4,6-  
Same

53535276

None

2,3,4,6-Tetrachlorophenol,  
sodium salt

Same

25567559

None

Tetraethyldithio-  
pyrophosphate

Thiodiphosphoric acid,  
tetraethyl ester

3689-24-5

P109

Tetraethyl lead

Plumbane, tetraethyl

78-00-2

P110

Tetraethylpyro-  
phosphate

Diphosphoric acid,  
tetraethyl ester

107-49-3

P111

Tetranitromethane

Methane, tetranitro-

509-14-8

P112

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

## Common Name

## Chemical Abstracts Name

## Chemical Abstracts Number

## Hazardous Waste Number

Thallium  
Thallium compounds  
Thallic oxide

Same  
Thallium  
oxide Ti[2]O[3]

7440-28-0  
1314-32-5

P113  
U214

Thallium (I) acetate  
Thallium (I) carbonate

Acetic acid,  
thallium (I+) salt  
Carbonic acid,  
thallium (I+) salt

563-68-8  
6533-73-9

U215  
U216

Thallium (I) chloride

Thallium chloride

7791-12-0

U217

Thallium (I) nitrate

Nitric acid, thallium  
(I+) salt

10102-45-1

P114

Thallium selenite

Selenious acid,  
thallium (I+) salt

12039-52-0

P115

Thallium (I) sulfate

Sulfuric acid,  
thallium (I+) salt

7446-18-6

U218

Thioacetamide  
Thiodicarb

Ethanethioic acid,  
N,N'-[thiobis[(methyl-  
imino)carbonyloxy]]-bis-,  
dimethyl ester

62-55-5  
5969-26-0

U410

Thiofanox

2-Butanone, 3,3-  
dimethyl-1-(methylthio)-,  
O-[(methylamino)  
carbonyl]-oxime

39196-18-4

P045

Thiophanate-methyl

Carbamic acid, [1,2-  
phenylenebis(imino-  
carbonothioyl)]-bis-,  
dimethyl ester

23564-05-8

U409

Thiomethanol

Methanethiol

74-93-1

U153

Thiophenol

Benzenethiol

108-98-5

P014

Thiosemicarbazide

Hydrazinecarbothioamide

79-19-6

P116

Thiourea

Same

62-56-6

P219

Thiram

Thioperoxydicarbonic  
diamide [(H2N)(S)](2)  
S(2), tetramethyl-

137-26-8

U244

Tirpate

1,3-Dithiolane-2-carbox-  
aldehyde, 2,4-dimethyl-,  
O-[(methylamino)carbonyl]  
oxime

26419-73-8

P185

Toluene

Benzene, methyl-

108-88-3

U220

Toluenediamine

Benzenediamine, ar-methyl-  
Benzenediamine

25376-45-8

U221

Toluene-2,4-

1,3-Benzenediamine,

95-80-7

P185

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
diamine	4-methyl-		
Toluene-2,6-	1,3-Benzenediamine,	823-40-5	
diamine	2-methyl-		
Toluene-3,4-	1,2-Benzenediamine,	496-72-0	
diamine	4-methyl-		
Toluene diisocyanate	Benzene, 1,3-diisocyanatomethyl	26471-62-5	U223
o-Toluidine	Benzenamine, 2-methyl-	95-53-4	U328
o-Toluidine hydrochloride	Benzenamine, 2-methyl-, hydrochloride	636-21-5	U222
p-Toluidine	Benzenamine, 4-methyl-	106-49-0	U353
Toxaphene	Same	8001-35-2	P123
Triallate	Carbanthioic acid, bis-(1-methylethyl)-, S-(2,3,3-trichloro-2-propenyl) ester	2303-17-5	U389
1,2,4-Trichlorobenzene	Benzene, 1,2,4-trichloro-	120-82-1	
1,1,2-Trichloroethane	Ethane, 1,1,2-trichloro-	79-00-5	U227
Trichloroethylene	Ethene, trichloro-	79-01-6	U228
Trichloromethanethiol	Methanethiol, trichloro-	75-70-7	P118
Trichloromonofluoromethane	Methane, trichlorofluoro-	75-69-4	U121
2,4,5-Trichlorophenol	Phenol, 2,4,5-trichloro-	95-95-4	See F027
2,4,6-Trichlorophenol	Phenol, 2,4,6-trichloro-	88-06-2	See F027
2,4,5-T	Acetic acid, (2,4,5-trichlorophenoxy)-	93-76-5	See F027
Trichloropropane, N.O.S.	Propane, 1,2,3-trichloro	25735-29-9	
1,2,3-Trichloropropane	Propane, 1,2,3-trichloro	96-18-4	
Triethylamine	Ethanamine, N,N-diethyl-		
O,O-Triethylphosphorothioic acid,	Phosphorothioic acid,	121-44-8	U404
phosphorothioate	O,O-O-triethyl ester	126-68-1	
1,3,5-Trinitrobenzene	Benzene, 1,3,5-trinitro-	99-35-4	U234
Tris(1-aziridinyl) phosphine sulfide	Aziridine, 1,1,1'-phosphinothioylidynetris-	52-24-4	
Tris(2,3-dibromopropyl) phosphate	1-Propanol, 2,3-dibromo-, phosphate (3:1)	126-72-7	U235
Trypan blue	2,7-Naphthalenedisulfonic acid, 3,3'-[3,3'-dimethyl	72-57-1	U236

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
	[1,1'-biphenyl]-4,4'-diylbis(azo)bis[5-amino-4-hydroxy-, tetrasodium salt		
Uracil mustard	2,4-(1H,3H)-Pyrimidinedione, 5-[bis(2-chloroethyl)amino]-Vanadium oxide V[2]O[5]	2056-25-9 66-75-1	U237
Vanadium pentoxide	Vanadium Carbamethioc acid, dipropyl-, S-propyl ester	1314-62-1	P120
Vernolate	Ethene, chloro	1929-77-7	U385
Vinyl chloride	2H-1-Benzopyran-2-one, 4-hydroxy-3-(3-oxo-1-phenylbutyl)-, when present at concentrations less than 0.3%	75-01-4 81-81-2	U043 U248
Warfarin	2H-1-Benzopyran-2-one, 4-hydroxy-3-(3-oxo-1-phenylbutyl)-, when present at concentrations greater than 0.3%	81-81-2	P001
Warfarin salts, when present at concentrations less than 0.3%	Warfarin salts, when present at concentrations greater than 0.3%		U248
Zinc cyanide	Zinc cyanide Zn(CN)[2]	557-21-1	P121
Zinc phosphide	Zinc phosphide P[2]Zn[3], when present at concentrations greater than 10%	1314-84-7	P122
Zinc phosphide	Zinc phosphide P[2]Zn[3], when present at concentrations of 10% or less	1314-84-7	U249
Ziram	Zinc, bis(dimethylcarbamodithioato-S,S')-(T-4)-D.S. (not otherwise specified)	137-30-4	P205

Note: The abbreviation N.O.S. (not otherwise specified) signifies those members of the general class not specifically listed by name in this Section.



## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

(Source: Amended at 20 Ill. Reg. 10963,

effective

AUG 01 1996)

## POLLUTION CONTROL BOARD

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## Section 721.APPENDIX I Wastes Excluded by Administrative Action

Section 721.TABLE B Wastes Excluded by USEPA 8-S-8PA under 40 CFR 260.20 and 260.22 from Specific Sources

Facility Address	Waste Description
------------------	-------------------

Amoco Oil Company Wood River, Illinois	150 million gallons of DAF float from petroleum refining contained in four surge ponds after treatment with the Chemfix stabilization process. This waste contains <u>USEPA 8-S-8PA</u> hazardous waste number K048. This exclusion applies to the 150 million gallons of waste after chemical stabilization as long as the mixing ratios of the reagent with the waste are monitored continuously and do not vary outside of the limits presented in the demonstration samples and one grab sample is taken each hour from each treatment unit, composited, and EP toxicity tests performed on each sample. If the levels of lead or total chromium exceed 0.5 ppm in the EP extract, then the waste that was processed during the compositing period is considered hazardous; the treatment residue shall be pumped into bermed cells to ensure that the waste is identifiable in the event that removal is necessary.
---	--

USX Steel Corporation Chicago, Illinois	Fully-cured chemically stabilized electric arc furnace dust/sludge (CSEAFD) treatment residue <u>USEPA 8-S-8PA</u> hazardous waste number K061) generated from the primary production of steel after April 29, 1991. This exclusion (for 35,000 tons of CSEAFD per year) is conditioned on the data obtained from USX's full-scale CSEAFD treatment facility. To ensure that hazardous constituents are not present in the waste at levels of regulatory concern once the full-scale treatment facility is in operation, USX shall implement a testing program for the petitioned waste. This testing program must meet the following conditions for the exclusion to be valid:
--	---

1. Testing: Sample collection and analyses (including quality control (QC) procedures) must be performed according to SW-846 methodologies, incorporated by reference in 35 Ill. Adm. Code 720.111.

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

A. Initial Testing: During the first four weeks of operation of the full scale treatment system, USX shall collect representative grab samples of each treated batch of CSEAFD and composite the grab samples daily. The daily composites, prior to disposal, must be analyzed for the EP leachate concentrations of all the EP toxic metals, nickel, and cyanide (using distilled water in the cyanide extractions), and the total concentrations of reactive sulfide and reactive cyanide. USX must report the analytical test data, including quality control information, obtained during this initial period no later than 90 days after the treatment of the first full-scale batch.

B. Subsequent Testing: USX shall collect representative grab samples from every treated batch of CSEAFD generated daily and composite all of the grab samples to produce a weekly composite sample. USX then shall analyze each weekly composite sample for all of the EP toxic metals and nickel. The analytical data, including quality control information, must be compiled and maintained on site for a minimum of three years. These data must be furnished upon request and made available for inspection by any employee or representative of USEPA 8-S7--BPA or the Agency.

2. Delisting levels: If the EP extract concentrations for chromium, lead, arsenic, or silver exceed 0.315 mg/l; barium exceeds 6.3 mg/l; cadmium or selenium exceed 0.063 mg/l; mercury exceeds 0.0126 mg/l; nickel exceeds 3.15 mg/l; or cyanide exceeds 4.42 mg/l or total reactive cyanide or total reactive sulfide levels exceed 250 mg/kg and 500 mg/kg, respectively, the waste must either be retreated until it meets these levels or managed and disposed of in accordance with Subpart C of Resource Conservation and Recover Act (42 U.S.C. 6901 et seq.).

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3. Data submittal to and enforcement by USEPA 8-S7--BPA: Within one week of system start-up USX must notify the Section Chief, Delisting Section (see address below) when their full-scale stabilization system is on-line and waste treatment has begun. The data obtained through condition (1)(A) shall be submitted to the Section Chief, Delisting Section CAD/OSW (OS-333), USEPA 8-S7--BPA, 401 M Street, S.W., Washington, DC 20460 within the time period specified. At USEPA's 8-S7--BPA's request, USX must submit any other analytical data obtained through conditions (1)(A) or (1)(B) within the time period specified by the Section Chief. Failure to submit the required data obtained from conditions (1)(A) or (1)(B) within the specified time period or maintain the required records for the specified time will be considered by USEPA 8-S7--BPA, at its decision, sufficient basis to revoke USX's Federal exclusion to the extent directed by USEPA 8-S7--BPA. All data must be accompanied by the following certification statement:

"Under civil and criminal penalty of law for the making or submission of false or fraudulent statements or representations (pursuant to the applicable provisions of the Federal Code which include, but may not be limited to, 18 U.S.C. Section 6928), I certify that the information contained in or accompanying this document is true, accurate and complete.

As to the (those) identified section(s) of this document for which I cannot personally verify its (their) trust and accuracy, I certify as the company official having supervisory responsibility for the persons who, acting under my direct instructions, made the verification that this information is true, accurate and complete.

In the event that any of this information is determined by USEPA 8-S7--BPA in its sole discretion to be false, inaccurate or incomplete, and upon conveyance of this fact to the company, I recognize and agree that

## POLLUTION CONTROL BOARD

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this federal exclusion of wastes will be void as if it never had effect or to the extent directed by USEPA 8-S-1-BPA and that the company will be liable for any actions taken in contravention of the company's RCRA and CERCLA obligations premised upon the company's reliance on the void exclusion."

4. Data Submittal to Agency: The data obtained through conditions (1)(A) must be submitted to the Illinois Environmental Protection Agency, Planning and Reporting Section, 2200 Churchill Road, P.O. Box 19276, Springfield, IL 62794-9276 within the time period specified. At Agency's request, USX must submit any other analytical data obtained through conditions (1)(A) or (1)(B) within the time period specified by the Agency. All data must be accompanied by the following certification statement:

"Under civil and criminal penalty of law for the making or submission of false or fraudulent statements or representations (pursuant to the applicable provisions of Illinois' Environmental Protection Act), I certify that the information contained in or accompanying this document is true, accurate and complete."

As to the (those) identified section(s) of this document for which I cannot personally verify its (their) truth and accuracy, I certify as the company official having supervisory responsibility for the persons who, acting under my direct instructions, made the verification that this information is true, accurate and complete."

5. Enforcement by the Agency: Whenever the Agency finds that USX has violated the standards in this exclusion, has failed to submit the required data obtained from conditions (1)(A) or (1)(B) within the specified time period, has failed to maintain the required records for the specified time or has submitted false, inaccurate or incomplete data, the Agency may take such action as is allowed by Title VIII of the Act.

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6. Notification to the Board: Upon modification, termination, revocation, or other alteration of this exemption by USEPA 8-S-1-BPA, USX shall file a petition, pursuant to Part 102, with this Board requesting that the Board follow the USEPA 8-S-1-BPA action.

Chemically stabilized electric arc furnace dust (CSEAFD) that is generated by Conversion Systems, Inc. (CSI) using the Super Detox(TM) treatment process, as modified by CSI to treat electric arc furnace dust (EAFD) (USEPA hazardous waste no. K061), at the following site and which is disposed of in a RCRA Subtitle D municipal solid waste landfill (MSWLF): Northwestern Steel, Sterling, Illinois.

CSI must implement a testing program for each site that meets the following conditions:

1. Verification testing requirements: Sample collection and analyses, including quality control procedures, must be performed according to SW-846 methodologies, incorporated by reference in 35 Ill. Adm. Code 720.111.

A. Initial verification testing: During the first 20 days of full-scale operation of a newly-constructed Super Detox(TM) treatment facility, CSI shall analyze a minimum of four composite samples of CSEAFD representative of the full 20-day period. Composite samples must be composed of representative samples collected from every batch generated. The CSEAFD samples must be analyzed for the constituents listed in condition 3 below. CSI shall report the operational and analytical test data, including quality control information, obtained during this initial period no later than 60 days after the generation of the first batch of CSEAFD.

B. Addition of new Super Detox(TM) treatment facilities to the exclusion:

Option 1: If USEPA approves additional facilities, CSI may petition the Board for identical-in-substance amendment of this exclusion pursuant to Section 22.1



## POLLUTION CONTROL BOARD

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for the Act and 35 Ill. Adm. Code 102 and 720.120(a); or

Option 2: If USEPA has not approved such amendment, CSI may petition the Board for amendment pursuant to the general rulemaking procedures of Section 27 of the Act and 35 Ill. Adm. Code 102 and 720.120(b); or

Option 3: Alternatively to options 1 or 2 above, CSI may petition the Board for a hazardous waste delisting pursuant to Section 28.1 of the Act and 35 Ill. Adm. Code 106 and 720.122.

If CSI pursues general rulemaking (Option 2 above) or hazardous waste delisting (Option 3 above), it must demonstrate that the CSEAFD generated by a specific Super Detox(TM) treatment facility consistently meets the delisting levels specified in condition 3 below.

C. Subsequent verification testing: For the approved facility, CSI shall collect and analyze at least one composite sample of CSEAFD each month. The composite samples must be composed of representative samples collected from all batches treated in each month. These monthly representative samples must be analyzed, prior to the disposal of the CSEAFD, for the constituents listed in condition 3 below. CSI may, at its discretion, analyze composite samples gathered more frequently to demonstrate that smaller batches of waste are nonhazardous.

2. Waste holding and handling: CSI shall store as hazardous all CSEAFD generated until verification testing, as specified in condition 1A or 1C above, as appropriate, is completed and valid analyses demonstrate that condition 3 below is satisfied. If the levels of constituents measured in the samples of CSEAFD do not exceed the levels set forth in condition 3, then the CSEAFD is nonhazardous and may be disposed of in a RCRA Subtitle D municipal solid waste landfill.

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If constituent levels in a sample exceed any of the delisting levels set forth in condition 3 below, the CSEAFD generated during the time period corresponding to this sample must be retreated until it meets these levels or managed and disposed of as hazardous waste, in accordance with 35 Ill. Adm. Code 702 through 705, 720 through 726, 728 and 733. CSEAFD generated by a new CSI treatment facility must be managed as a hazardous waste prior to the addition of the name and location of the facility to this exclusion pursuant to condition 1C above. After addition of the new facility to the exclusion pursuant to condition 1B above, CSEAFD generated during the verification testing in condition 1A is also non-hazardous if the delisting levels in condition 3 are satisfied.

3. Delisting levels: All leachable concentrations for the following metals must not exceed the following levels (in parts per million (ppm)): antimony--0.06; arsenic--0.50; barium--7.6; beryllium--0.010; cadmium--0.050; chromium--0.33; lead--0.15; mercury--0.009; nickel--1; selenium--0.16; silver--0.30; thallium--0.020; vanadium--2; and zinc--70. Metal concentrations must be measured in the waste leachate by the method specified in Section 721.124.

4. Changes in operating conditions: After initiating subsequent testing, as described in condition 1C, if CSI significantly changes the stabilization process established under condition 1 (e.g., use of new stabilization reagents), CSI shall seek amendment of this exclusion using one of the options set forth in condition 1B above. After written amendment of this exclusion, CSI may manage CSEAFD wastes generated from the new process as nonhazardous if the wastes meet the delisting levels set forth in condition 3 above.

5. Data submittals: At least one month prior to operation of a new Super Detox(TM) treatment facility, CSI must notify the Agency in writing when the Super Detox(TM) treatment facility is scheduled to be on-line. The data obtained through conditions 1A must be submitted to the

## POLLUTION CONTROL BOARD

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Agency within the time period specified. Records of operating conditions and analytical data from condition 1 must be compiled, summarized and maintained on site for a minimum of five years. These records and data must be furnished to the Agency upon request and made available for inspection. Failure to submit the required data within the specified time period or to maintain the required records on site for the specified time will be considered a violation of the Act and Board regulations. All data submitted must be accompanied by a signed copy of the following certification statement to attest to the truth and accuracy of the data submitted:

"Under civil and criminal penalty of law for the making or submission of false or fraudulent statements or representations, I certify that the information contained in or accompanying this document is true, accurate, and complete.

"As to (those) identified section(s) of this document for which I cannot personally verify its (their) truth and accuracy, I certify as the company official having supervisory responsibility for the persons who, acting under my direct instructions, made the verification that this information is true, accurate, and complete.

"In the event that any of this information is determined by the Board or a court of law to be false, inaccurate, or incomplete, and upon conveyance of this fact to the company, I recognize and agree that this exclusion of waste will be void as if it never had effect or to the extent directed by the Board or court and that the company will be liable for any actions taken in contravention of the company's obligations under the federal RCRA and Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. Sections 9601 et seq.) and corresponding provisions of the Act premised upon the company's reliance on

## POLLUTION CONTROL BOARD

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the void exclusion."

BOARD NOTE: The obligations of this exclusion are derived from but also distinct from the obligations under the corresponding federally-granted exclusion of 40 CFR 261, Appendix IX, Table 2.

(Source: Amended at 20 Ill. Reg. 10963, effective AUG 1 1996 )

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## Section 721.APPENDIX Z Table to Section 721.102

Table

	*1	*2	*3	*4
Spent materials (both listed and nonlisted) characteristics	Yes	Yes	Yes	Yes
Sludges (listed in Section 721.131 or 721.132)	Yes	Yes	Yes	Yes

Sludges exhibiting a nonlisted characteristic of hazardous waste characteristics

By-products (listed in Section 721.131 or 721.132)

By-products exhibiting a nonlisted characteristic of hazardous waste characteristics

Commercial chemical products listed in Section 721.133 that are not ordinarily applied to the land or burned as fuels

Scrap metal

Yes - Defined as a solid waste  
No - Not defined as a solid waste

- \*1 - Use constituting disposal (Section 721.102(c)(1))  
\*2 - Burning for energy recovery or use to produce a fuel (Section 721.102(c)(2))  
\*3 - Reclamation (Section 721.102(c)(3))  
\*4 - Speculative accumulation (Section 721.102(c)(4))

BOARD NOTE: Derived from Table 1 to 40 CFR 261.2(c)(4) (1994)

10963

(Source: **Amended** 1996 at 20 Ill. Reg. effective )

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- 1) Heading of the Part: Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities

2) Code Citation: 35 Ill. Adm. Code 725

3) Section Numbers: Adopted Action:  
725.101 Amended  
725.980 Amended  
725.982 Amended  
725.990 Amended

4) Statutory authority: 415 ILCS 5/22.4 and 27.

5) Effective date of amendments: August 1, 1996

6) Does this rulemaking contain an automatic repeal date? No

7) Do these amendments contain incorporations by reference? Yes. Although the existing text of Part 725 includes several incorporations by reference, no amendments to those references were necessary. 35 Ill. Adm. Code 720.111 is the centralized listing of all documents incorporated by reference for the purposes of 35 Ill. Adm. Code 702, 703, 704, 705, 720, 721, 722, 723, 724, 725, 726, 728, 730, 733, 738 & 739. The present amendments to Section 720.111 incorporate the updated testing methods of SW-846 for use with Part 725.

8) Date filed in Board's principal office: Order adopted June 20, 1996.

9) Notice of proposal published in Illinois Register: February 16, 1996, 20 Ill. Reg. 2791.

10) Has JCAR issued a Statement of Objections to these rules? No

Section 22.4(a) of the Environmental Protection Act (415 ILCS 5/22.4(a)) provides that Section 5 of the Administrative Procedure Act [5 ILCS 100/5-35 and 5-40] shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

11) Differences between proposal and final version: The following tables summarily present the differences between the proposed and final versions of the amendments:

## Revisions to the Text of the Proposed Amendments

Section	Correction
725.101(b), (c)(11)(C), (c)(12)	Changed end punctuation



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& (c)(13)

725.101(c)(14)(A)-(c)(14)(C)

Underlined text added by amendments

725.980(a)

Added "that are" before "subject to"; deleted "either" from before "725.Subpart"; changed "725.Subparts" to "725.Subpart"; deleted "the" from before "725.Subpart"; deleted "rules" from before "be enforceable"; changed "they become" to "it becomes"

725.980(d)(2)

Added comma before "explaining"; corrected reference to "725.985"

725.980(d)(3)

Added comma before "explaining"; corrected reference to "725.985"; corrected spelling of "processes"

725.982(a)

Changed "Owners or operators of facilities existing" to "An owner or operator of a facility in existence"

725.982(a) & (b)

Changed "725.Subparts I, J, and K" to "725.Subpart"

725.982(b)

Changed "facilities" to "a facility"

725.982(b)(2)(B)

Restructured subsection, adding subsection heading

725.982(b)(2)(C)

Corrected subsection indent level

12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR? Section 22.4(a) of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR. Nevertheless, JCAR did review the regulations and submitted a number of suggested corrections for Board consideration. The Board reviewed the suggestions and accepted most of them.

13) Will these amendments replace emergency amendments currently in effect?

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No

14) Are there any other amendments pending on this Part? No

15) Summary and purpose of amendments: A more detailed description is contained in the Board's opinion of June 20, 1996 in R95-20, which Opinion is available from the address below. Section 22.4 of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

The larger R95-20 proceeding, of which the amendments to this Part are one segment, updates 35 Ill. Adm. Code 702, 703, 720, 721, 722, 724, 725, 726, and 728 of the Board's RCRA Subtitle C rules and adds 35 Ill. Adm. Code 733 to correspond with amendments adopted by U.S. EPA that appeared in the Federal Register during the period January 1 through June 30, 1995, with the addition of actions dated July 7, September 29, and November 13, 1995 and June 5, 1996. During the routine update period of January 1 through June 30, 1995, USEPA undertook the following actions:

Federal Action

Jan. 3, 1995,  
60 Fed. Reg. 242

Technical Corrections to Phase II LDRs

Jan. 13, 1995,  
60 Fed. Reg. 3089

Update to testing and monitoring methods

Feb. 3, 1995,  
60 Fed. Reg. 6666

Response to City of Chicago v. Environmental Defense Fund Decision

Feb. 7, 1995,  
60 Fed. Reg. 7366

Determination that additional regulation is necessary for cement kiln dust

Feb. 9, 1995,  
60 Fed. Reg. 7824

New hazardous waste listings for six carbamate production wastes; addition of 58 commercial chemical product wastes; exemption of certain biological treatment sludges

Apr. 4, 1995,  
60 Fed. Reg. 17001

Update to testing and monitoring methods

Apr. 4, 1995,  
60 Fed. Reg. 17160

Update to CWA analytical methods

Apr. 17, 1995,

Corrections to carbamate waste listings

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60 Fed. Reg. 19165

May 11, 1995,  
60 Fed. Reg. 25492

May 12, 1995,  
60 Fed. Reg. 25619

May 19, 1995,  
60 Fed. Reg. 26828

Universal Waste Rule

Correction to carbamate waste listings

Postponement of effective date for tank, container, and surface impoundment air emissions rules

June 13, 1995,  
60 Fed. Reg. 31114

June 29, 1995,  
60 Fed. Reg. 33912

Deletion of obsolete, redundant, and outdated RCRA rules

In addition to these principal amendments that occurred during the normal docket update period, the Board has included four additional, later actions that are corrections or relaxations of prior amendments in the preceding RCRA Subtitle C update docket, R95-4/R95-6:

July 7, 1995,  
60 Fed. Reg. 35452

Correction to the Subpart CC organic material emissions standards for tanks, containers and surface impoundments

September 29, 1995,  
60 Fed. Reg. 50426

Stay of Subpart CC rules as they apply to tanks, containers, and surface impoundments that contain wastes generated in the manufacture of organic peroxides

November 13, 1995,  
60 Fed. Reg. 56952

Stay of Subpart CC rules in their entirety until June 6, 1996

June 5, 1996,  
61 Fed. Reg. 28508

Stay of Subpart CC rules in their entirety until October 6, 1996

Further, the Board used this opportunity to include a number of corrective amendments to the existing regulations. These corrections are more fully described below. They are derived from comments by the Joint Committee on Administrative Rules (JCAR) and the Illinois EPA (Agency).

Finally, the Board omitted from consideration two set of federal amendments that occurred during the time-frame of this docket. First, on January 3, 1995, USEPA corrected errors and clarified language in the universal treatment standards adopted on September 19, 1994 as the Phase II LDRs. The Board did not include those amendments in this docket

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because we dealt with them in docket R95-4/R95-6, when adopting the Phase II rules. Second, on May 19, 1995, USEPA stayed implementation of the 40 CFR 264, subpart CC and 265, subpart CC (Subpart CC) regulations governing organic material emissions from tanks, containers, and surface impoundments. USEPA delayed the effective date by six months, until December 6, 1995. This delay was similarly included with the R95-4/R95-6 amendments, so there was no need for the Board to take action at this time. Further, the subsequent federal stay granted on November 13, 1995 and extended on June 5, 1996 made that initial stay of May 19 obsolete.

Specifically, the segment of the amendments involved in Part 725 are based on the federal actions of May 11, September 29, and November 13, 1995 and June 5, 1996. The amendments of May 11, 1995 incorporate provisions dictating the interplay of applicability of the universal waste rules and the generally-applicable hazardous waste management standards. Those of September 29 and November 13, 1995 and June 5, 1996 stay the deadline for compliance with the Subpart CC organic material emissions regulations applicable to tanks, containers, and surface impoundments. The Board has further used this opportunity to make a number of minor, non-substantive amendments to the existing text of the regulations.

16) Information and questions regarding this adopted amendments shall be directed to:

Michael J. McCambridge  
Attorney  
Illinois Pollution Control Board  
100 W. Randolph, Ste. 11-500  
Chicago, IL 60601  
312/814-6924

Request copies of the Board's opinion and order of June 20, 1996 from Victoria Agyeman, at 312/814-3620.

The full text of the adopted amendments begins on the next page:

## POLLUTION CONTROL BOARD

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## TITLE 35: ENVIRONMENTAL PROTECTION

## SUBTITLE G: WASTE DISPOSAL

## CHAPTER I: POLLUTION CONTROL BOARD

## SUBCHAPTER c: HAZARDOUS WASTE OPERATING REQUIREMENTS

## PART 725

INTERIM STATUS STANDARDS FOR OWNERS AND  
OPERATORS OF HAZARDOUS WASTE TREATMENT,  
STORAGE, AND DISPOSAL FACILITIES

## SUBPART A: GENERAL PROVISIONS

Section  
725.101 Purpose, Scope and Applicability  
725.104 Imminent Hazard Action

## SUBPART B: GENERAL FACILITY STANDARDS

Section  
725.110 Applicability  
725.111 USEPA Identification Number  
725.112 Required Notices  
725.113 General Waste Analysis  
725.114 Security  
725.115 General Inspection Requirements  
725.116 Personnel Training  
725.117 General Requirements for Ignitable, Reactive, or Incompatible Wastes  
725.118 Location Standards  
725.119 Construction Quality Assurance Program

## SUBPART C: PREPAREDNESS AND PREVENTION

Section  
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725.131 Maintenance and Operation of Facility  
725.132 Required Equipment  
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725.134 Access to Communications or Alarm System  
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## SUBPART D: CONTINGENCY PLAN AND EMERGENCY PROCEDURES

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725.150 Applicability  
725.151 Purpose and Implementation of Contingency Plan  
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725.153 Copies of Contingency Plan

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725.154 Amendment of Contingency Plan  
725.155 Emergency Coordinator  
725.156 Emergency Procedures

## SUBPART E: MANIFEST SYSTEM, RECORDKEEPING AND REPORTING

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725.170 Applicability  
725.171 Use of Manifest System  
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725.173 Operating Record  
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725.176 Unmanifested Waste Report  
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## SUBPART F: GROUNDWATER MONITORING

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725.191 Groundwater Monitoring System  
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## SUBPART G: CLOSURE AND POST-CLOSURE

Section  
725.210 Applicability  
725.211 Closure Performance Standard  
725.212 Closure Plan; Amendment of Plan  
725.213 Closure; Time Allowed for Closure  
725.214 Disposal or Decontamination of Equipment, Structures and Soils  
725.215 Certification of Closure  
725.216 Survey Plat  
725.217 Post-closure Care and Use of Property  
725.218 Post-closure Plan; Amendment of Plan  
725.219 Post-Closure Notices  
725.220 Certification of Completion of Post-Closure Care

## SUBPART H: FINANCIAL REQUIREMENTS

Section  
725.240 Applicability  
725.241 Definitions of Terms as Used in this Subpart  
725.242 Cost Estimate for Closure  
725.243 Financial Assurance for Closure  
725.244 Cost Estimate for Post-closure Care



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725.245 Financial Assurance for Post-Closure Monitoring and Maintenance  
 725.246 Use of a Mechanism for Financial Assurance of Both Closure and Post-closure Care  
 725.247 Liability Requirements  
 725.248 Incapacity of Owners or Operators, Guarantors or Financial Institutions  
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## SUBPART I: USE AND MANAGEMENT OF CONTAINERS

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 725.270 Applicability  
 725.271 Condition of Containers  
 725.272 Compatibility of Waste with Container  
 725.273 Management of Containers  
 725.274 Inspections  
 725.276 Special Requirements for Ignitable or Reactive Waste  
 725.277 Special Requirements for Incompatible Wastes  
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## SUBPART J: TANK SYSTEMS

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 725.290 Applicability  
 725.291 Assessment of Existing Tank System's Integrity  
 725.292 Design and Installation of New Tank Systems or Components  
 725.293 Containment and Detection of Releases  
 725.294 General Operating Requirements  
 725.295 Inspections  
 725.296 Response to leaks or spills and disposition of Tank Systems  
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 725.298 Special Requirements for Ignitable or Reactive Waste  
 725.299 Special Requirements for Incompatible Wastes  
 725.300 Waste Analysis and Trial Tests  
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## SUBPART K: SURFACE IMPOUNDMENTS

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 725.320 Applicability  
 725.321 Design and Operating Requirements  
 725.322 Action Leakage Rate  
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 724.324 Containment System  
 725.325 Waste Analysis and Trial Tests  
 725.326 Monitoring and Inspections  
 725.328 Closure and Post-closure Care

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725.329 Special Requirements for Ignitable or Reactive Waste  
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## SUBPART L: WASTE PILES

Section  
 725.350 Applicability  
 725.351 Protection from Wind  
 725.352 Waste Analysis  
 725.353 Containment  
 725.354 Design and Operating Requirements  
 725.355 Action Leakage Rates  
 725.356 Special Requirements for Ignitable or Reactive Waste  
 725.357 Special Requirements for Incompatible Wastes  
 725.358 Closure and Post-closure Care  
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## SUBPART M: LAND TREATMENT

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 725.372 General Operating Requirements  
 725.373 Waste Analysis  
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 725.379 Recordkeeping  
 725.380 Closure and Post-closure  
 725.381 Special Requirements for Ignitable or Reactive Waste  
 725.382 Special Requirements for Incompatible Wastes

## SUBPART N: LANDFILLS

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 725.401 Design Requirements  
 725.402 Action Leakage Rate  
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 725.410 Closure and Post-closure  
 725.412 Special Requirements for Ignitable or Reactive Waste  
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 725.414 Special Requirements for Liquid Wastes  
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725.445	General Operating Requirements
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725.452	Interim Status Incinerators Burning Particular Hazardous Wastes

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725.482	Open Burning; Waste Explosives
725.483	Interim Status Thermal Treatment Devices Burning Particular Hazardous Waste

## SUBPART Q: CHEMICAL, PHYSICAL AND BIOLOGICAL TREATMENT

Section	
725.500	Applicability
725.501	General Operating Requirements
725.502	Waste Analysis and Trial Tests
725.503	Inspections
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## SUBPART R: UNDERGROUND INJECTION

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725.530	Applicability
SUBPART W: DRIP PADS	
Section	
725.540	Applicability
725.541	Assessment of existing drip pad integrity
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725.930	Applicability
725.931	Definitions
725.932	Standards: Process Vents
725.933	Standards: Closed-vent Systems and Control Devices
725.934	Test methods and procedures
725.935	Recordkeeping Requirements

## SUBPART BB: AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS

Section	
725.950	Applicability
725.951	Definitions
725.952	Standards: Pumps in Light Liquid Service
725.953	Standards: Compressors
725.954	Standards: Pressure Relief Devices in Gas/Vapor Service
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725.956	Standards: Open-ended Valves or Lines
725.957	Standards: Valves in Gas/Vapor or Light Liquid Service
725.958	Standards: Pumps, Valves, Pressure Relief Devices, Flanges and Other Connectors

725.959	Standards: Delay of Repair
725.960	Standards: Closed-vent Systems and Control Devices
725.961	Percent Leakage Alternative for Valves
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Section	
725.980	Applicability
725.981	Definitions
725.982	Schedule for Implementation of Air Emission Standards
725.983	Standards: General
725.984	Waste Determination Procedures
725.985	Standards: Tanks
725.986	Standards: Surface Impoundments
725.987	Standards: Containers
725.988	Standards: Closed-vent Systems and Control Devices
725.989	Inspection and Monitoring Requirements
725.990	Recordkeeping Requirements
725.991	Alternative Tank Emission Control Requirements

## SUBPART DD: CONTAINMENT BUILDINGS

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## Section

725.1100 Applicability

725.1101 Design and operating standards.

725.1102 Closure and Post-closure Care

## APPENDIX A Recordkeeping Instructions

APPENDIX B EPA Report Form and Instructions (Repealed)

APPENDIX C EPA Interim Primary Drinking Water Standards

APPENDIX D Tests for Significance

APPENDIX E Examples of Potentially Incompatible Waste

**AUTHORITY:** Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/22.4 and 27].

**SOURCE:** Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective May 17, 1982; amended and codified in R91-22, 45 PCB 317, at 6 Ill. Reg. 4828, effective May 17, 1982; amended in R82-18, 51 PCB 831, at 7 Ill. Reg. 2518, effective February 22, 1983; amended in R82-19, 53 PCB 131, at 7 Ill. Reg. 14034, effective October 12, 1983; amended in R84-9, at 9 Ill. Reg. 11869, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 1085, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 14069, effective August 12, 1986; amended in R86-28 at 11 Ill. Reg. 6044, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13489, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19338, effective November 10, 1987; amended in R87-26 at 12 Ill. Reg. 2485, effective January 15, 1988; amended in R87-39 at 12 Ill. Reg. 13027, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 437, effective December 28, 1988; amended in R89-1 at 13 Ill. Reg. 18354, effective November 13, 1989; amended in R90-2 at 14 Ill. Reg. 14447, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16498, effective September 25, 1990; amended in R90-11 at 15 Ill. Reg. 9398, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14534, effective October 1, 1991; amended in R91-13 at 16 Ill. Reg. 9578, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17672, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5681, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20620, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6771, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12190, effective July 29, 1994; amended in R94-17 at 18 Ill. Reg. 17548, effective November 23, 1994; amended in R95-6 at 19 Ill. Reg. 9566, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. 11078 effective AUG 01 1996.

**NOTE:** In this Part, superscript numbers or letters are denoted by parentheses; subscript are denoted by brackets; and SUM means the summation series or sigma function as used in mathematics.

SUBPART A: GENERAL PROVISIONS

## Section 725.101 Purpose, Scope and Applicability

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a) The purpose of this Part is to establish minimum standards that define the acceptable management of hazardous waste during the period of interim status and until certification of final closure or, if the facility is subject to post-closure requirements, until post-closure responsibilities are fulfilled.

b) Except as provided in Section 725.980(b), the standards in this Part and 35 Ill. Adm. Code 724.652 and 724.653 apply to owners and operators of facilities that treat, store, or dispose of hazardous waste that have fully complied with the requirements for interim status under Section 3005(e) of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. 6901 et seq.) and 35 Ill. Adm. Code 703, until either a permit is issued under Section 3005 of the Resource Conservation and Recovery Act or Section 21(f) of the Environmental Protection Act, or until applicable closure and post-closure responsibilities under this Part are fulfilled, and to those owners and operators of facilities in existence on November 19, 1980, that have failed to provide timely notification as required by Section 3010(a) of RCRA or that have failed to file Part A of the Permit Application, as required by 40 CFR 270.10(e) and (g) or 35 Ill. Adm. Code 703.150 and 703.152. These standards apply to all treatment, storage, or disposal of hazardous waste at these facilities after November 19, 1980, except as specifically provided otherwise in this Part or 35 Ill. Adm. Code 721.7

**BOARD NOTE:** As stated in Section 3005(a) of RCRA, after the effective date of regulations under that Section (i.e., 40 CFR 270 and 124) the treatment, storage, or disposal of hazardous waste is prohibited except in accordance with a permit. Section 3005(e) of RCRA provides for the continued operation of an existing facility that meets certain conditions until final administrative disposition of the owner's and operator's permit application is made. 35 Ill. Adm. Code 703.140 et seq. provide that a permit is deemed issued under Section 21(f)(1) of the Environmental Protection Act under conditions similar to federal interim status.

c) The requirements of this Part do not apply to:

- 1) A person disposing of hazardous waste by means of ocean disposal subject to a permit issued under the Marine Protection, Research and Sanctuaries Act (16 U.S.C. 1431-1434; 33 U.S.C. 1401);
  - BOARD NOTE:** This Part applies to the treatment or storage of hazardous waste before it is loaded into an ocean vessel for incineration or disposal at sea, as provided in subsection (b).
  - 3) The owner or operator of a POTW (publicly owned treatment works) that treats, stores or disposes of hazardous waste;
- BOARD NOTE:** The owner or operator of a facility under subsections (c)(1) through (c)(3) is subject to the requirements of 35 Ill. Adm. Code 724 to the extent they are included in a permit by rule granted to such a person under 35 Ill. Adm. Code 702 and 703 or are required by 35 Ill. Adm. Code 704.Subpart F.
- 5) The owner or operator of a facility permitted, licensed, or



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registered by Illinois to manage municipal or industrial solid waste, if the only hazardous waste the facility treats, stores, or disposes of is excluded from regulation under this Part by 35 Ill. Adm. Code 721.105;

6) The owner or operator of a facility managing recyclable materials described in 35 Ill. Adm. Code 721.106(a)(2) through (a)(4), except to the extent that requirements of this Part are referred to in 35 Ill. Adm. Code 726.Subparts C, F, G, or H or 35 Ill. Adm. Code 739;

7) A generator accumulating waste on-site in compliance with 35 Ill. Adm. Code 722.134, except to the extent the requirements are included in 35 Ill. Adm. Code 722.134;

8) A farmer disposing of waste pesticides from the farmer's own use in compliance with 35 Ill. Adm. Code 722.170;

9) The owner or operator of a totally enclosed treatment facility, as defined in 35 Ill. Adm. Code 720.110;

10) The owner or operator of an elementary neutralization unit or a waste water treatment unit as defined in 35 Ill. Adm. Code 720.110, provided that if the owner or operator is diluting hazardous ignitable (D001) wastes (other than the D001 High TOC Subcategory defined in 35 Ill. Adm. Code 728.Tablet or reactive (D003) waste in order to remove the characteristic before land disposal, the owner or operator must comply with the requirements set out in Section 725.117(b);

11) Immediate response:

A) Except as provided in subsection (c)(11)(B) below, a person engaged in treatment or containment activities during immediate response to any of the following situations:

- i) A discharge of a hazardous waste;
- ii) An imminent and substantial threat of a discharge of a hazardous waste;
- iii) A discharge of a material that becomes a hazardous waste when discharged.

B) An owner or operator of a facility otherwise regulated by this Part must comply with all applicable requirements of 725.Subparts C and D.

C) Any person that is covered by subsection (c)(11)(A) above that continues or initiates hazardous waste treatment or containment activities after the immediate response is over is subject to all applicable requirements of this Part and 35 Ill. Adm. Code 702, 703, and 705 for those activities.

12) A transporter storing manifested shipments of hazardous waste in containers meeting the requirements of 35 Ill. Adm. Code 722.130 at a transfer facility for a period of ten days or less;

13) The addition of absorbent material to waste in a container (as defined in 35 Ill. Adm. Code 720.110) or the addition of waste to the absorbent material in a container, provided that these actions occur at the time that the waste is first placed in the

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containers and Sections 725.117(b), 725.271, and 725.272 are complied with.

14) A universal waste handler or universal waste transporter (as defined in 35 Ill. Adm. Code 720.110) that handles any of the wastes listed below is subject to regulation under 35 Ill. Adm. Code 733 when handling the following universal wastes:

A) Batteries, as described in 35 Ill. Adm. Code 733.102;

B) Pesticides, as described in 35 Ill. Adm. Code 733.103; and

C) Thermostats, as described in 35 Ill. Adm. Code 733.104.

d) The following hazardous wastes must not be managed at facilities subject to regulation under this Part: hazardous waste numbers F020, F021, F022, F023, F026, or F027 unless:

1) The waste water treatment sludge is generated in a surface impoundment as part of the plant's waste water treatment system;

2) The waste is stored in tanks or containers;

3) The waste is stored or treated in waste piles that meet the requirements of 35 Ill. Adm. Code 724.350(c) and all other applicable requirements of 725.Subpart L;

4) The waste is burned in incinerators that are certified pursuant to the standards and procedures in Section 725.452; or

5) The waste is burned in facilities that thermally treat the waste in a device other than an incinerator and that are certified pursuant to the standards and procedures in Section 725.483.

e) This Part applies to owners and operators of facilities that treat, store, or dispose of hazardous wastes referred to in 35 Ill. Adm. Code 728, and the 35 Ill. Adm. Code 728 standards are considered material conditions or requirements of the interim status standards of this Part.

f) Other bodies of regulations may apply a person, facility, or activity, such as 35 Ill. Adm. Code 809 (special waste hauling), 35 Ill. Adm. Code 807 or 810 through 817 (solid waste landfills), 35 Ill. Adm. Code 848 or 849 (used and scrap tires), or 35 Ill. Adm. Code 1420 through 1422 (potentially infectious medical waste), depending on the provisions of those other regulations.

(Source: Amended at 20 Ill. Reg. ~~11078~~ effective

~~AUG 01 1996~~)

SUBPART CC: AIR EMISSION STANDARDS FOR TANKS,  
SURFACE IMPOUNDMENTS, AND CONTAINERS

## Section 725.980 Applicability

a) The requirements of this Subpart apply, effective October 6, 1996 ~~December--6,--1995~~, to owners and operators of all facilities that treat, store, or dispose of hazardous waste in tanks, surface impoundments, or containers that are subject to 725.Subpart ~~either~~ 725.Subparts I, J, or K except as Section 725.101 and subsection (b)

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below provide otherwise.

BOARD NOTE: USEPA W-S--BPA adopted these regulations at 59 Fed. Reg. 62896 (Dec. 6, 1994), effective June 6, 1995. At 60 Fed. Reg. 26828 (May 19, 1995) and 60 Fed. Reg. 56952 (Nov. 13, 1995), and 61 Fed. Reg. 28508 (June 5, 1996), USEPA W-S--BPA delayed the effective date until October 6, 1996 December-67-1995. If action by USEPA W-S--BPA or a decision of a federal court changes the effectiveness of these regulations, the Board does not intend that the 725-Subpart CC rules be enforceable to the extent that it becomes they-become more stringent than the federal regulations upon which they are based.

b) The requirements of this Subpart do not apply to the following waste management units at the facility:

- 1) A waste management unit that holds hazardous waste placed in the unit before October 6, 1996 December-67-1995 and in which no hazardous waste is added to the unit on or after this date.
- 2) A container that has a design capacity less than or equal to 0.1 m(3) (3.5 ft(3) or 26.4 gal).
- 3) A tank in which an owner or operator has stopped adding hazardous waste and the owner or operator has begun implementing or completed closure pursuant to an approved closure plan.
- 4) A surface impoundment in which an owner or operator has stopped adding hazardous waste (except to implement an approved closure plan) and the owner or operator has begun implementing or completed closure pursuant to an approved closure plan.
- 5) A waste management unit that is used solely for on-site treatment or storage of hazardous waste that is generated as the result of implementing remedial activities required pursuant to the Act or Board regulations or under the corrective action authorities of RCRA sections 3004(u), 3004(v) or 3008(h); CERCLA authorities; or similar federal or state authorities.
- 6) A waste management unit that is used solely for the management of radioactive mixed waste in accordance with all applicable regulations under the authority of the Atomic Energy Act (42 U.S.C. 2011 et seq.) and the Nuclear Waste Policy Act.

c) For the owner and operator of a facility subject to this Subpart who has received a final RCRA permit prior to October 6, 1996 December-67-1995, the following requirements apply:

- 1) The requirements of 35 Ill. Adm. Code 724-Subpart CC must be incorporated into the permit when the permit is reissued, renewed, or modified in accordance with the requirements of 35 Ill. Adm. Code 703 and 705.
- 2) Until the date when the permit is reissued, renewed, or modified in accordance with the requirements of 35 Ill. Adm. Code 703 and 705, the owner and operator is subject to the requirements of this Subpart.
- d) The requirements of this Subpart, except for the recordkeeping requirements specified in Section 725.990(i) are waived for a tank or container used for the management of hazardous waste generated by

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organic peroxide manufacturing and its associated laboratory operations, when the owner or operator of the unit meets all of the following conditions.

- 1) The owner or operator identifies that the tank or container receives hazardous waste generated by an organic peroxide manufacturing process producing more than one functional family of organic peroxides or multiple organic peroxides within one functional family, that one or more of these organic peroxides could potentially undergo self-accelerating thermal decomposition at or below ambient temperatures, and that organic peroxides are the predominant products manufactured by the process. For the purposes of this subsection, "organic peroxide" means an organic compound that contains the bivalent -O-O- structure and which may be considered to be a structural derivative of hydrogen peroxide where one or both of the hydrogen atoms has been replaced by an organic radical.
- 2) The owner or operator prepares documentation, in accordance with Section 725.990(i), explaining why an undue safety hazard would be created if air emission controls specified in Sections 725.985 through 725.988 are installed and operated on the tanks and containers used at the facility to manage the hazardous waste generated by the organic peroxide manufacturing process or processes meeting the conditions of subsection (d)(1) above.
- 3) The owner or operator notifies the Agency in writing that hazardous waste generated by an organic peroxide manufacturing process or processes meeting the conditions of subsection (d)(1) above are managed at the facility in tanks or containers meeting the conditions of subsection (d)(2) above. The notification must state the name and address of the facility and be signed and dated by an authorized representative of the facility owner or operator.

(Source: Amended at 20 Ill. Reg. 11078, effective AUG 01 1996)

## Section 725.982 Schedule for Implementation of Air Emission Standards

a) An owner, owners or operator operators of a facility in existence facilities-existing on October 6, 1996 December-67-1995 and subject to 725-Subpart 725-Subparts I, J, or K shall meet the following requirements:

- 1) The owner or operator shall install and begin operation of all control equipment required by this Subpart by October 6, 1996 December-67-1995, except as provided in subsection (a)(2) below.
- 2) When control equipment required by this Subpart cannot be installed and in operation by October 6, 1996 December-67-1995, the owner or operator shall:
  - A) Install and begin operation of the control equipment as soon



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- as possible, but in no case later than December 8, 1997.
- B) Prepare an implementation schedule that includes the following information: specific calendar dates for award of contracts or issuance of purchase orders for the control equipment, initiation of on-site installation of the control equipment, completion of the control equipment installation, and performance of any testing to demonstrate that the installed equipment meets the applicable standards of this Subpart.
- C) For facilities subject to the recordkeeping requirements of Section 725.173, the owner or operator shall enter the implementation schedule specified in subsection (a)(2)(B) above in the operating record no later than October 6, 1996 ~~December 6, 1995~~.
- D) For facilities not subject to Section 725.173 above, the owner or operator shall enter the implementation schedule specified in subsection (a)(2)(B) of this section in a permanent, readily available file located at the facility no later than October 6, 1996 ~~December 6, 1995~~.
- b) An owner or operator of a facility ~~facilities~~ in existence on the effective date of statutory or regulatory amendments under the Act that render the facility subject to 725.173 ~~725-Subparts I, J, or K of this Part~~ shall meet the following requirements:
- 1) The owner or operator shall install and begin operation of all control equipment required by this Subpart by the effective date of the amendment, except as provided in subsection (b)(2) below.
  - 2) When control equipment required by this Subpart cannot be installed and begin operation by the effective date of the amendment, the owner or operator shall:
    - A) Install and operate the control equipment as soon as possible, but in no case later than 30 months after the effective date of the amendment.
    - B) Maintenance of implementation schedule.
      - i) For facilities subject to the recordkeeping requirements of Section 725.173, enter and maintain the implementation schedule specified in subsection (a)(2)(B) above in the operating record no later than the effective date of the amendment, or
      - ii) For facilities not subject to Section 725.173, the owner or operator shall enter and maintain the implementation schedule specified in subsection (a)(2)(B) above in a permanent, readily available file, located at the facility site, no later than the effective date of the amendment.
- c) The Agency may elect to extend the implementation date for control equipment at a facility, on a case by case basis, to a date later than December 8, 1997:
- 1) When special circumstances that are beyond the facility owner's

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- or operator's control delay installation or operation of control equipment, and
- 2) The owner or operator has made all reasonable and prudent attempts to comply with the requirements of this Subpart.

(Source: Amended at 20 Ill. Reg. 11078, effective AUG 01 1996)

## Section 725.990 Recordkeeping Requirements

- a) Each owner or operator of a facility subject to requirements in this Subpart shall record and maintain the following information as applicable:
- 1) Documentation for each cover installed on a tank in accordance with the requirements of Section 725.985(b)(2) or (b)(3) that includes information prepared by the owner or operator or provided by the cover manufacturer or vendor describing the cover design, and certification by the owner or operator that the cover meets the applicable design specifications as listed in Section 725.991(c).
  - 2) Documentation for each floating membrane cover installed on a surface impoundment in accordance with the requirements of Section 725.986(c) that includes information prepared by the owner or operator or provided by the cover manufacturer or vendor describing the cover design, and certification by the owner or operator that the cover meets the specifications listed in Section 725.986(e).
  - 3) Documentation for each enclosure used to control air emissions from containers in accordance with the requirements of Section 725.987(b)(2)(A) that includes information prepared by the owner or operator or provided by the manufacturer or vendor describing the enclosure design, and certification by the owner or operator that the enclosure meets the specifications listed in Section 725.987(b)(2)(B).
  - 4) Documentation for each closed-vent system and control device installed in accordance with the requirements of Section 725.988 that includes:
    - A) Certification that is signed and dated by the owner or operator stating that the control device is designed to operate at the performance level documented by a design analysis, as specified in subsection (a)(4)(B) below, or by performance tests, as specified in subsection (a)(4)(C) below, when the tank, surface impoundment, or container is or would be operating at capacity or the highest level reasonably expected to occur.
    - B) If a design analysis is used, then design documentation as specified in Section 725.935(b)(4). The documentation must include information prepared by the owner or operator or



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provided by the control device manufacturer or vendor that describes the control device design in accordance with Section 725.935(b)(4)(C) and certification by the owner or operator that the control equipment meets the applicable specifications.

C) If performance tests are used, then a performance test plan as specified in Section 725.935(b)(3) and all test results.

D) Information as required by Sections 725.935(c)(1) and 725.935(c)(2).

5) Records for all Method 27 tests performed by the owner or operator for each container used to meet the requirements of Section 725.987(b)(1)(C).

6) Records for all visual inspections conducted in accordance with the requirements of Section 725.989.

7) Records for all monitoring for detectable organic emissions conducted in accordance with the requirements of Section 725.989.

8) Records of the date of each attempt to repair a leak, repair methods applied, and the date of successful repair.

9) Records for all continuous monitoring conducted in accordance with the requirements of Section 725.989.

10) Records of the management of carbon removed from a carbon adsorption system conducted in accordance with Section 725.988(c)(3)(B).

11) Records for all inspections of each cover installed on a tank in accordance with the requirements of Section 725.985(b)(2) or (b)(3) that includes information as listed in Section 725.991(c).

b) An owner or operator electing to use air emission controls for a tank in accordance with the conditions specified in Section 725.985(c) shall record the following information:

1) The date and time each waste sample is collected for direct measurement of maximum organic vapor pressure in accordance with Section 725.984(c).

2) The results of each determination for the maximum organic vapor pressure of the waste in the tank performed in accordance with Section 725.984(c).

c) An owner or operator electing to use air emission controls for a tank in accordance with the requirements of Section 725.991 shall record the information required by Section 725.991(c).

d) An owner or operator electing not to use air emission controls for a particular tank, surface impoundment, or container subject to this Subpart in accordance with the conditions specified in Section 725.983(c) shall record the information used by the owner or operator for each waste determination (e.g., test results, measurements, calculations, and other documentation) in the facility operating log. If analysis results for waste samples are used for the waste determination, then the owner or operator shall record the date, time, and location that each waste sample is collected in accordance with

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applicable requirements of Section 725.984.

e) An owner or operator electing to comply with requirements in accordance with Section 725.983(c)(2)(E) or (c)(2)(F) shall record the identification number for the incinerator, boiler, or industrial furnace in which the hazardous waste is treated.

f) An owner or operator designating a cover as unsafe to inspect and monitor pursuant to Section 725.989(f)(5) or difficult to inspect and monitor pursuant to Section 725.989(f)(6) shall record in a log that is kept in the facility operating record the following information:

1) A list of identification numbers for tanks with covers that are designated as unsafe to inspect and monitor in accordance with the requirements of Section 725.989(f)(5), an explanation for each cover stating why the cover is unsafe to inspect and monitor, and the plan and schedule for inspecting and monitoring each cover.

2) A list of identification numbers for tanks with covers that are designated as difficult to inspect and monitor in accordance with the requirements of Section 725.989(f)(6), an explanation for each cover stating why the cover is difficult to inspect and monitor, and the plan and schedule for inspecting and monitoring each cover.

g) All records required by subsections (a) through (f) above, except as required in subsections (a)(1) through (a)(4) above, must be maintained in the operating record for a minimum of 3 years. All records required by subsections (a)(1) through (a)(4) above must be maintained in the operating record until the air emission control equipment is replaced or otherwise no longer in service.

h) The owner or operator of a facility that is subject to this Subpart and to the control device standards in 40 CFR 60, Subpart VV, or 40 CFR 61, Subpart V, incorporated by reference in 35 Ill. Adm. Code 270.111, may elect to demonstrate compliance with the applicable Sections of this Subpart by documentation either pursuant to this Subpart, or pursuant to the provisions of 40 CFR 60, Subpart VV or 40 CFR 61, Subpart V, to the extent that the documentation required by 40 CFR 60 or 61 duplicates the documentation required by this Section.

i) For each tank or container not using air emission controls specified in Sections 725.985 through 725.988 in accordance with the conditions specified in Section 725.980(d), the owner or operator shall record and maintain the following information:

1) A list of the individual organic peroxide compounds manufactured at the facility that meet the conditions specified in Section 725.980(d)(1).

2) A description of how the hazardous waste containing the organic peroxide compounds identified pursuant to subsection (i)(1) are managed at the facility in tanks and containers. This description must include the following information:

A) For the tanks used at the facility to manage this hazardous waste, sufficient information must be provided to describe

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each tank: a facility identification number for the tank, the purpose and placement of this tank in the management train of this hazardous waste, and the procedure used to ultimately dispose of the hazardous waste managed in the tanks.

- B) For containers used at the facility to manage this hazardous waste, sufficient information must be provided to describe each tank: a facility identification number for the container or group of containers, the purpose and placement of this container or group of containers in the management train of this hazardous waste, and the procedures used to ultimately dispose of the hazardous waste managed in the containers.

- 3) An explanation of why managing the hazardous waste containing the organic peroxide compounds identified pursuant to subsection (1)(1) above in the tanks or containers identified pursuant to subsection (1)(2) above would create an undue safety hazard if the air emission controls specified in Sections 725.985 through 725.988 were installed and operated on these waste management units. This explanation must include the following information:

- A) For tanks used at the facility to manage this hazardous waste, sufficient information must be provided to explain: how use of the required air emission controls on the tanks would affect the tank design features and facility operating procedures currently used to prevent an undue safety hazard during management of this hazardous waste in the tanks; and why installation of safety devices on the required air emission controls, as allowed under Section 725.985(g), would not address those situations in which evacuation of tanks equipped with these air emission controls is necessary and consistent with good engineering and safety practices for handling organic peroxides.

- B) For containers used at the facility to manage this hazardous waste, sufficient information must be provided to explain: how use of the required air emission controls on the tanks would affect the container design features and handling procedures currently used to prevent an undue safety hazard during management of this hazardous waste in the containers; and why installation of safety devices on the required air emission controls, as allowed under Section 725.987(d), would not address those situations in which evacuation of containers equipped with these air emission controls is necessary and consistent with good engineering and safety practices for handling organic peroxides.

(Source: Amended at 20 Ill. Reg. **11078**, effective  
AUG 01 1996)

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- 1) Heading of the Part: Land Disposal Restrictions
- 2) Code citation: 35 Ill. Adm. Code 728
- 3) Section numbers: Adopted action:  
728.101 Amended  
728.Table T Amended  
728.Table U Amended
- 4) Statutory authority: 415 ILCS 5/22.4 and 27
- 5) Effective date of amendments: August 1, 1996
- 6) Does this rulemaking contain an automatic repeal date?: No
- 7) Do these amendments contain incorporations by reference? No. Although the existing text of Part 728 includes incorporations by reference, the present amendments do not affect those incorporations.
- 8) Date filed in Board's principal office: Order adopted June 20, 1996.
- 9) Notice of proposal published in Illinois Register: February 16, 1996, 20 Ill. Reg. 2813.
- 10) Has JCAR issued a Statement of Objections to these rules? No. Section 22.4(a) of the Environmental Protection Act (415 ILCS 5/22.4(a)) provides that Section 5 of the Administrative Procedure Act (5 ILCS 100/5-35 and 5-40) shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

- 11) Differences between proposal and final version:

The following tables summarily present the differences between the proposed and final versions of the amendments:

Revisions to the Text of the Proposed Amendments

Section Correction

728 Source Note Added references to withdrawal of R90-11 amendments and adoption of R91-13 amendments

728.101(e)(3) & (e)(4) Changed end punctuation

728.101(g) Corrected reference to "415 ILCS 5/22.6 or 39(h)"

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12) Have all the changes agreed upon by the Board and JC&R been made as indicated in the agreement letter issued by JC&R? Section 22.4(a) of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JC&R. Nevertheless, JC&R did review the regulations and submitted a number of suggested corrections for Board consideration. The Board reviewed the suggestions and accepted most of them.

13) Will these amendments replace emergency amendments currently in effect?  
No

14) Are there any other amendments pending on this Part? No

15) Summary and purpose of amendments:

A more detailed description is contained in the Board's opinion of June 20, 1996 in R95-20, which Opinion is available from the address below. Section 22.4 of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JC&R.

The larger R95-20 proceeding, of which the amendments to this Part are one segment, updates 35 Ill. Adm. Code 702, 703, 720, 721, 722, 724, 725, 726, and 728 of the Board's RCRA Subtitle C rules and adds 35 Ill. Adm. Code 733 to correspond with amendments adopted by U.S. EPA that appeared in the Federal Register during the period January 1 through June 30, 1995, with the addition of actions dated July 7, September 29, and November 13, 1995 and June 5, 1996. During the routine update period of January 1 through June 30, 1995, USEPA undertook the following actions:

Federal Action

Jan. 3, 1995,  
60 Fed. Reg. 242

Technical Corrections to Phase II LDRs

Jan. 13, 1995,  
60 Fed. Reg. 3089

Update to testing and monitoring methods

Feb. 3, 1995,  
60 Fed. Reg. 6665

Response to City of Chicago v. Environmental Defense Fund decision

Feb. 7, 1995,  
60 Fed. Reg. 7366

Determination that additional regulation is necessary for cement kiln dust

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Feb. 9, 1995,  
60 Fed. Reg. 7824

New hazardous waste listings for six carbamate production wastes; addition of 58 commercial chemical product wastes; exemption of certain biological treatment sludges

Apr. 4, 1995,  
60 Fed. Reg. 17001

Update to testing and monitoring methods

Apr. 4, 1995,  
60 Fed. Reg. 17160

Update to CWA analytical methods

Apr. 17, 1995,  
60 Fed. Reg. 19165

Corrections to carbamate waste listings

May 11, 1995,  
60 Fed. Reg. 25492

Universal Waste Rule

May 12, 1995,  
60 Fed. Reg. 25619

Correction to carbamate waste listings

May 19, 1995,  
60 Fed. Reg. 26828

Postponement of effective date for tank, container, and surface impoundment air emissions rules

June 13, 1995,  
60 Fed. Reg. 31114

Delisting of hazardous waste generated in Illinois by a Pennsylvania company

June 29, 1995,  
60 Fed. Reg. 33912

Deletion of obsolete, redundant, and outdated RCRA rules

In addition to these principal amendments that occurred during the normal docket update period, the Board has included four additional, later actions that are corrections or relaxations of prior amendments in the preceding RCRA Subtitle C update docket, R95-4/R95-6:

July 7, 1995,  
60 Fed. Reg. 35452

Correction to the Subpart CC organic material emissions standards for tanks, containers and surface impoundments

September 29, 1995,  
60 Fed. Reg. 50426

Stay of Subpart CC rules as they apply to tanks, containers, and surface impoundments that contain wastes generated in the manufacture of organic peroxides

November 13, 1995,  
60 Fed. Reg. 56952

Stay of Subpart CC rules in their entirety until June 6, 1996



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June 5, 1996, Stay of Subpart CC rules in their entirety until  
61 Fed. Reg. 28508 October 6, 1996

Further, the Board used this opportunity to include a number of corrective amendments to the existing regulations. These corrections are more fully described below. They are derived from comments by the Joint Committee on Administrative Rules (JCAR) and the Illinois EPA (Agency).

Finally, the Board omitted from consideration two sets of federal amendments that occurred during the time-frame of this docket. First, on **January 3, 1995**, USEPA corrected errors and clarified language in the universal treatment standards adopted on September 19, 1994 as the Phase II LDRs. The Board did not include those amendments in this docket because we dealt with them in docket R95-4/R95-6, when adopting the Phase II rules. Second, on **May 19, 1995**, USEPA stayed implementation of 40 CFR 264, subpart CC and 265, subpart CC (Subpart CC) regulations governing organic material emissions from tanks, containers, and surface impoundments. USEPA delayed the effective date by six months, until December 6, 1995. This delay was similarly included with the R95-4/R95-6 amendments, so there was no need for the Board to take action at this time. Further, the subsequent federal stay granted on November 13, 1995 and extended on June 5, 1996 made that initial stay of May 19 obsolete.

Specifically, the segment of the amendments involved in Part 728 are based on the universal waste rule of May 11, 1995. The amendments to Section 728.101 state that the land disposal restrictions of Part 728 do not apply to certain universal waste handlers. The Board has further used this opportunity to make a number of minor, non-substantive amendments to the existing text of the regulations. The amendments to Sections 728.101 and 728.102 are exclusively based on corrections suggested by JCAR and indicated by examination by the Board.

16) Information and questions regarding these adopted amendments shall be directed to:

Michael J. McCambridge  
Attorney  
Illinois Pollution Control Board  
100 W. Randolph, Ste. 11-500  
Chicago, IL 60601  
312/814-6924

Request copies of the Board's opinion and order of June 20, 1996 from  
Victoria Agyeman, at 312/814-3620.

The full text of the adopted amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE G: WASTE DISPOSAL  
CHAPTER I: POLLUTION CONTROL BOARD

## SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

## PART 728

## LAND DISPOSAL RESTRICTIONS

## SUBPART A: GENERAL

Section	
728.101	Purpose, Scope and Applicability
728.102	Definitions
728.103	Dilution Prohibited as a Substitute for Treatment
728.104	Treatment Surface Impoundment Exemption
728.105	Procedures for case-by-case Extensions to an Effective Date
728.106	Petitions to Allow Land Disposal of a Waste Prohibited under Subpart C
728.107	Waste Analysis and Recordkeeping
728.108	Landfill and Surface Impoundment Disposal Restrictions (Repealed)
728.109	Special Rules for Characteristic Wastes

## SUBPART B: SCHEDULED FOR LAND DISPOSAL PROHIBITION AND ESTABLISHMENT OF TREATMENT STANDARDS

Section	
728.110	First Third
728.111	Second Third
728.112	Third Third
728.113	Newly Listed Wastes
728.114	Surface Impoundment exemptions

## SUBPART C: PROHIBITION ON LAND DISPOSAL

Section	
728.130	Waste Specific Prohibitions -- Solvent Wastes
728.131	Waste Specific Prohibitions -- Dioxin-Containing Wastes
728.132	Waste Specific Prohibitions -- California List Wastes
728.133	Waste Specific Prohibitions: First Third Wastes
728.134	Waste Specific Prohibitions -- Second Third Wastes
728.135	Waste Specific Prohibitions -- Third Third Wastes
728.136	Waste Specific Prohibitions -- Newly Listed Wastes
728.137	Waste Specific Prohibitions -- Ignitable and Corrosive Characteristic Wastes Whose Treatment Standards Were Vacated
728.138	Waste-Specific Prohibitions: Newly-Identified Organic Toxicity Characteristic Wastes and Newly-Listed Coke By-Product and Chlorotoluene Production Wastes
728.139	Statutory Prohibitions

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## SUBPART D: TREATMENT STANDARDS

Section	Applicability of Treatment Standards
728.140	Treatment Standards Expressed as Concentrations in Waste Extract
728.141	Treatment Standards Expressed as Specified Technologies
728.142	Treatment Standards Expressed as Waste Concentrations
728.143	Adjustment of Treatment Standard
728.144	Treatment Standards for Hazardous Debris
728.145	Alternative Treatment Standards Based on HTMR
728.146	Universal Treatment Standards

## SUBPART E: PROHIBITIONS ON STORAGE

Section	Prohibitions on Storage of Restricted Wastes
728.150	Toxicity Characteristic Leaching Procedure (TCLP)
APPENDIX A	Treatment Standards (As concentrations in the Treatment Residual Extract)
APPENDIX B	List of Halogenated Organic Compounds
APPENDIX C	Wastes Excluded from Lab Packs
APPENDIX D	Organic Lab Packs (Repealed)
APPENDIX E	Technologies to Achieve Deactivation of Characteristics
APPENDIX F	Federal Effective Dates
APPENDIX G	National Capacity LDR Variances for UIC Wastes
APPENDIX H	EP Toxicity Test Method and Structural Integrity Test
APPENDIX I	Recordkeeping, Notification, and Certification Requirements
APPENDIX J	Constituent Concentrations in Waste Extract (CCWE)

TABLE A	Constituent Concentrations in Wastes (CCW)
TABLE B	Technology Codes and Description of Technology-Based Standards
TABLE C	Standards for Radioactive Mixed Waste
TABLE D	Alternative Treatment Standards for Hazardous Debris
TABLE E	Wastes Excluded from CCW Treatment Standards
TABLE F	Treatment Standards for Hazardous Wastes
TABLE G	Universal Treatment Standards (UTS)
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TABLE M	
TABLE N	
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TABLE R	
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TABLE U	

**AUTHORITY:** Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act (415 ILCS 5/22.4 and 27).

**SOURCE:** Adopted in R87-5 at 11 Ill. Reg. 19354, effective November 12, 1987; amended in R87-39 at 12 Ill. Reg. 13046, effective July 29, 1988; amended in R89-1 at 13 Ill. Reg. 18403, effective November 13, 1989; amended in R89-9 at 14 Ill. Reg. 6232, effective April 16, 1990; amended in R90-2 at 14 Ill. Reg. 14470, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16508,

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effective September 25, 1990; amended in R90-11 at 15 Ill. Reg. 9462, effective June 17, 1991; amended in R90-11 at 15 Ill. Reg. 11937, effective August 12, 1991; amendment withdrawn at 15 Ill. Reg. 14716, October 11, 1991; amended in R91-13 at 16 Ill. Reg. 9619, effective June 9, 1992; amended in R92-10 at 17 Ill. Reg. 5727, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20692, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6799, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12203, effective July 29, 1994; amended in R94-17 at 18 Ill. Reg. 17563, effective November 23, 1994; amended in R95-6 at 19 Ill. Reg. 9680, effective August 21, 1995; amended in R95-20 at 20 Ill. Reg. 11100, effective AUG 01, 1996.

## SUBPART A: GENERAL

## Section 728.101 Purpose, Scope and Applicability

- This Part identifies hazardous wastes that are restricted from land disposal and defines those limited circumstances under which an otherwise prohibited waste may continue to be land disposed.
- Except as specifically provided otherwise in this Part or 35 Ill. Adm. Code 721, the requirements of this Part apply to persons that generate or transport hazardous waste treatment, storage, and disposal facilities.
- Restricted wastes may continue to be land disposed as follows:
  - Where persons have been granted an extension to the effective date of a prohibition under Subpart C or pursuant to Section 728.105, with respect to those wastes covered by the extension;
  - Where persons have been granted an exemption from a prohibition pursuant to a petition under Section 728.106, with respect to those wastes and units covered by the petition;
  - Wastes that are hazardous only because they exhibit a hazardous characteristic and that are otherwise prohibited from land disposal under this Part are not prohibited from land disposal if the wastes:
    - Are disposed into a nonhazardous or hazardous waste injection well, as defined in 35 Ill. Adm. Code 704.106(a);
    - Do not exhibit any prohibited characteristic of hazardous waste at the point of injection; and
    - If, at the point of generation, the injected wastes include D001 High TOC subcategory wastes of D012-D017 pesticide wastes that are prohibited under Section 728.117(c), those wastes have been treated to meet the treatment standards of Section 728.140 prior to injection.
- This Part does not affect the availability of a waiver under Section 121(d)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) (42 U.S.C. Sections 9601 et seq.).
- The following hazardous wastes are not subject to any provision of this Part:
  - Wastes generated by small quantity generators of less than 100 kg

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of non-acute hazardous waste or less than 1 kg of acute hazardous waste per month, as defined in 35 Ill. Adm. Code 721.105;

2) Waste pesticides that a farmer disposes of pursuant to 35 Ill. Adm. Code 722.170;

3) Wastes identified or listed as hazardous after November 8, 1984, for which USEPA 8-9--EPA has not promulgated land disposal prohibitions or treatment standards;

4) De minimis losses to wastewater treatment systems of commercial chemical product or chemical intermediates that are ignitable (D001) or corrosive (D002) or that are organic constituents that exhibit the characteristic of toxicity (D012-D043) and that contain underlying hazardous constituents, as defined in Section 728.102 of this Part, are not considered to be prohibited wastes. "De minimis" is defined as losses from normal material handling operations (e.g., spills from the unloading or transfer of materials from bins or other containers or leaks from pipes, valves, or other devices used to transfer materials); minor leaks of process equipment, storage tanks, or containers; leaks from well-maintained pump packings and seals; sample purging; relief device discharges; discharges from safety showers and rinsing and cleaning of personal safety equipment; and rinsate from empty containers or from containers that are rendered empty by that rinsing;

5) Land disposal prohibitions for hazardous characteristic wastes do not apply to laboratory wastes displaying the characteristic of ignitability (D001), corrosivity (D002), or organic toxicity (D012 through D043) that are mixed with other plant wastewaters at facilities whose ultimate discharge is subject to regulations under the CWA (including wastewaters at facilities that have eliminated the discharge of wastewater), provided that the annulized flow of laboratory wastewater into the facility's headwork does not exceed one percent or that the laboratory wastes' combined annulized average concentration does not exceed one part per million in the facility's headworks.

f) A universal waste handler or universal waste transporter (as defined in 35 Ill. Adm. Code 720.110) is exempt from Sections 728.107 and 268.150 for the hazardous wastes listed below. Such a handler or transporter is subject to regulation under 35 Ill. Adm. Code 733.

1) Batteries, as described in 35 Ill. Adm. Code 733.102;

2) Pesticides, as described in 35 Ill. Adm. Code 733.103; and

3) Thermosets, as described in 35 Ill. Adm. Code 733.104.

g) This part is cumulative with the land disposal restrictions of 35 Ill. Adm. Code 729. The Environmental Protection Agency (Agency) shall not issue a wastestream authorization pursuant to 35 Ill. Adm. Code 709 or Sections 22.6 or 39(h) of the Environmental Protection Act [415 ILCS 5/22.6 or 39(h) 99-6] unless the waste meets the requirements of this Part as well as 35 Ill. Adm. Code 729.

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

(Source: Amended at 20 Ill. Reg. effective  
11100,  
AUG 01 1996)



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## Section 728. TABLE T Treatment Standards for Hazardous Wastes

Note: The treatment standards that heretofore appeared in tables in Sections 728.141, 728.142, and 728.143 have been consolidated into this table.

Regulated Hazardous Constituent		Wastewaters	Nonwastewaters
Common Name	CAS(2) Number	Concentration mg/l(3); or Technology Code(4)	Concentration in mg/kg(3) un- less noted as "mg/l TCLP"; or Technology Code(4)

## D001

Ignitable Characteristic Wastes, except for the Section 721.121(a)(1) High TOC Subcategory, that are managed in non-CWA or non-CWA-equivalent or non-Class I SDWA systems.

NA	NA	DEACT and meet Section 728.148 standards; or RORGS; or CMBST	DEACT and meet Section 728.148 standards; or RORGS; or CMBST
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## D001

Ignitable Characteristic Wastes, except for the Section 721.121(a)(1) High TOC Subcategory, that are managed in CWA or CWA-equivalent or Class I SDWA systems.

NA	NA	DEACT	DEACT
----	----	-------	-------

## D001

High TOC Ignitable Characteristic Liquids Subcategory based on 35 Ill. Adm. Code 721.121(a)(1) - Greater than or equal to 10% total organic carbon.  
(Note: This subcategory consists of nonwastewaters only.)

NA	NA	NA	RORGS; or CMBST
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## D002

Corrosive Characteristic Wastes that are managed in non-CWA or non-CWA equivalent non-Class I SDWA systems.

NA	NA	DEACT and meet Section 728.148 standards	DEACT and meet Section 728.148 standards
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D002, D004, D005, D006, D007, D008, D009, D010, D011  
Radioactive high level wastes generated during the reprocessing of fuel rods.  
(Note: This subcategory consists of nonwastewaters only.)

Corrosivity (pH)	NA	NA	HLVIT
Arsenic	7440-38-2	NA	HLVIT
Barium	7440-39-3	NA	HLVIT
Cadmium	7440-43-9	NA	HLVIT
Chromium (Total)	7440-47-3	NA	HLVIT
Lead	7439-92-1	NA	HLVIT
Mercury	7439-97-6	NA	HLVIT
Selenium	7782-49-2	NA	HLVIT
Silver	7440-22-4	NA	HLVIT

## D003

Reactive Sulfides Subcategory based on 35 Ill. Adm. Code 721.123(a)(5).

NA	NA	DEACT	DEACT
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## D003

Explosive subcategory based on 35 Ill. Adm. Code 721.123(a)(6), (a)(7), and (a)(8).

NA	NA	DEACT	DEACT
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## D003

Other Reactives Subcategory based on 35 Ill. Adm. Code 721.123(a)(1).

NA	NA	DEACT	DEACT
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## D003

Water Reactive Subcategory based on 35 Ill. Adm. Code 721.123(a)(2), (a)(3), and (a)(4).  
(Note: This subcategory consists of nonwastewaters only.)

NA	NA	DEACT	DEACT
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## D003

Reactive Cyanides Subcategory based on 35 Ill. Adm. Code 721.123(a)(5).

Cyanides (Total)(7)	57-12-5	--	590
Cyanides (Amendable)(7)	57-12-5	0.86	30

## D004

Wastes that exhibit, or are expected to exhibit, the characteristic of toxicity for arsenic based on the extraction procedure (EP) in SW-846 Method 1310.

Arsenic	7440-38-2	5.0	5.0mg/l EP
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- Arsenic; alternate(6) 7440-38-2 NA 5.0 mg/l TCLP  
standard for  
nonwastewaters only.
- D005  
Wastes that exhibit, or are expected to exhibit, the characteristic of toxicity for barium based on the extraction procedure (EP) in SW-846 Method 1310.
- Barium 7440-39-3 100 100 mg/l TCLP
- D006  
Wastes that exhibit, or are expected to exhibit, the characteristic of toxicity for cadmium based on the extraction procedure (EP) in SW-846 Method 1310.
- Cadmium 7440-43-9 1.0 1.0 mg/l TCLP
- D006  
Cadmium Containing Batteries Subcategory  
(Note: This subcategory consists of nonwastewaters only.)
- Cadmium 7440-43-9 NA RTHRM
- D007  
Wastes that exhibit, or are expected to exhibit, the characteristic of toxicity for chromium based on the extraction procedure (EP) in SW-846 Method 1310.
- Chromium (Total) 7440-47-3 5.0 5.0 mg/l TCLP
- D008  
Wastes that exhibit, or are expected to exhibit, the characteristic of toxicity for lead based on the extraction procedure (EP) in SW-846 Method 1310.
- Lead 7439-92-1 5.0 5.0 mg/l EP  
Lead; alternate(6) 7439-92-1 NA 5.0 mg/l TCLP  
nonwastewaters only
- D008  
Lead Acid Batteries Subcategory  
(Note: This standard only applies to lead acid batteries that are identified as RCRA hazardous wastes and that are not excluded elsewhere from regulation under the land disposal restrictions of this Part or exempted under other regulations (see 35 Ill. Adm. Code 726.180).).  
(Note: This subcategory consists of nonwastewaters only.)
- Lead 7439-92-1 NA RLEAD
- D008  
Radioactive Lead Solids Subcategory

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- (Note: These lead solids include, but are not limited to, all forms of lead shielding and other elemental forms of lead. These lead solids do not include treatment residuals such as hydroxide sludges, other wastewater treatment residuals, or incinerator ashes that can undergo conventional pozzolanic stabilization, nor do they include organo-lead materials that can be incinerated and stabilized as ash.)  
(Note: This subcategory consists of nonwastewaters only.)
- Lead 7439-92-1 NA MACRO
- D009  
Nonwastewaters that exhibit, or are expected to exhibit, the characteristic of toxicity for mercury based on the extraction procedure (EP) in SW-846 Method 1310; and contain greater than or equal to 260 mg/kg total mercury that also contain organics and are not incinerator residues.  
(High Mercury-Organic Subcategory)
- Mercury 7439-97-6 NA IMERC; or RMERC
- D009  
Nonwastewaters that exhibit, or are expected to exhibit, the characteristic of toxicity for mercury based on the extraction procedure (EP) in SW-846 Method 1310; and contain greater than or equal to 260 mg/kg total mercury that are inorganic, including incinerator residues and residues from RMERC.  
(High Mercury-Inorganic Subcategory)
- Mercury 7439-97-6 NA RMERC
- D009  
Nonwastewaters that exhibit, or are expected to exhibit, the characteristic of toxicity for mercury based on the extraction procedure (EP) in SW-846 Method 1310; and contain less than 260 mg/kg total mercury.  
(Low Mercury Subcategory)
- Mercury 7439-97-6 NA 0.20 mg/l TCLP
- All D009 wastewaters
- Mercury 7439-97-6 0.20 NA
- D009  
Elemental mercury contaminated with radioactive materials.  
(Note: This subcategory consists of nonwastewaters only.)
- Mercury 7439-97-6 NA AMLGM
- D009

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Hydraulic oil contaminated with Mercury Radioactive Materials Subcategory.  
(Note: This subcategory consists of nonwastewaters only.)

Mercury 7439-97-6 NA IMERC  
D010  
Wastes that exhibit, or are expected to exhibit, the characteristic or toxicity for selenium based on the extraction procedure (EP) in SW-846 Method 1310.

Selenium 7782-49-2 1.0 5.7 mg/l TCLP

D011  
Wastes that exhibit, or are expected to exhibit, the characteristic of toxicity for silver based on the extraction procedure (EP) in SW-846 Method 1310.

Silver 7440-22-4 5.0 5.0 mg/l TCLP

D012  
Wastes that are TC for Endrin based on the TCLP in SW-846 Method 1311.

Endrin 72-20-8 BIODG; or 0.13 and meet  
INCIN Section  
728.148 standards

Endrin aldehyde 7421-93-4 BIODG; or 0.13 and meet  
INCIN Section  
728.148 standards

D013  
Wastes that are TC for Lindane based on the TCLP in SW-846 Method 1311.

alpha-BHC 319-84-6 CARBN; or 0.066 and meet  
INCIN Section  
728.148 standards

beta-BHC 319-85-7 CARBN; or 0.066 and meet  
INCIN Section  
728.148 standards

delta-BHC 319-86-8 CARBN; or 0.066 and meet  
INCIN Section  
728.148 standards

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gamma-BHC (Lindane) 58-89-9 CARBN; or 728.148 standards  
INCIN Section  
728.148 standards

D014  
Wastes that are TC for Methoxychlor based on the TCLP in SW-846 Method 1311.

Methoxychlor 72-43-5 WETOX or INCIN 0.18 and meet  
Section  
728.148 standards

D015  
Wastes that are TC for Toxaphene based on the TCLP in SW-846 Method 1311.

Toxaphene 8001-35-2 BIODG or INCIN 2.6 and meet  
Section  
728.148 standards

D016  
Wastes that are TC for 2,4-D (2,4-Dichlorophenoxyacetic acid) based on the TCLP in SW-846 Method 1311.

2,4-D (2,4-Dichloro-phenoxyacetic acid) 94-75-7 CHOXD, BIODG, 10 and meet  
or INCIN Section  
728.148 standards

D017  
Wastes that are TC for 2,4,5-TP (Silvex) based on the TCLP in SW-846 Method 1311.

2,4,5-TP (Silvex) 93-72-1 CHOXD or INCIN 7.9 and meet  
Section  
728.148 standards

D018  
Wastes that are TC for Benzene based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.



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Benzene	71-43-2	0.14 and meet Section 728.148 standards	10 and meet Section 728.148 standards
D019 Wastes that are TC for Carbon tetrachloride based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.			
Carbon tetrachloride	56-23-5	0.057 and meet Section 728.148 standards	6.0 and meet Section 728.148 standards
D020 Wastes that are TC for Chlordane based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.			
Chlordane (alpha and gamma isomers)	57-74-9	0.0033 and meet Section 728.148 standards	0.26 and meet Section 728.148 standards
D021 Wastes that are TC for Chlorobenzene based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.			
Chlorobenzene	108-90-7	0.057 and meet Section 728.148 standards	6.0 and meet Section 728.148 standards
D022 Wastes that are TC for Chloroform based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.			
Chloroform	67-66-3	0.046 and meet Section 728.148	6.0 and meet Section 728.148

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D023 Wastes that are TC for o-Cresol based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only			
o-Cresol	95-48-7	0.11 and meet Section 728.148 standards	5.6 and meet Section 728.148 standards
D024 Wastes that are TC for m-Cresol based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.			
m-Cresol	108-39-4	0.77 and meet Section 728.148 standards	5.6 and meet Section 728.148 standards
D025 Wastes that are TC for p-Cresol based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.			
p-Cresol	106-44-5	0.77 and meet Section 728.148 standards	5.6 and meet Section 728.148 standards
D026 Wastes that are TC for Cresols (Total) based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.			
Cresol-mixed isomers (Cresylic acid) (sum of o-, m-, and p-cresol concentrations)	1319-77-3	0.88 and meet Section 728.148 standards	11.2 and meet Section 728.148 standards
D027 Wastes that are TC for p-Dichlorobenzene based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.			

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## NOTICE OF ADOPTED AMENDMENTS

systems only.

p-Dichlorobenzene (1,4-Dichlorobenzene) 0.090 and meet Section 728.148 standards 6.0 and meet Section 728.148 standards

D028 Wastes that are TC for 1,2-Dichloroethane based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

1,2-Dichloroethane 107-06-2 0.21 and meet Section 728.148 standards 6.0 and meet Section 728.148 standards

D029 Wastes that are TC for 1,1-Dichloroethylene based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

1,1-Dichloroethylene 75-35-4 0.025 and meet Section 728.148 standards 6.0 and meet Section 728.148 standards

D030 Wastes that are TC for 2,4-Dinitrotoluene based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

2,4-Dinitrotoluene 121-14-2 0.32 and meet Section 728.148 standards 140 and meet Section 728.148 standards

D031 Wastes that are TC for Heptachlor based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

Heptachlor 76-44-8 0.0012 0.066 and meet

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Heptachlor epoxide 1024-57-3 0.016 and meet Section 728.148 standards 0.066 and meet Section

D032 Wastes that are TC for Hexachlorobenzene based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

Hexachlorobenzene 118-74-1 0.055 and meet Section 728.148 standards 10 and meet Section 728.148 standards

D033 Wastes that are TC for Hexachlorobutadiene based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

Hexachlorobutadiene 67-68-3 0.055 and meet Section 728.148 standards 5.6 and meet Section 728.148 standards

D034 Wastes that are TC for Hexachloroethane based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

Hexachloroethane 67-72-1 0.055 and meet Section 728.148 standards 30 and meet Section 728.148 standards

D035 Wastes that are TC for Methyl ethyl ketone based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

Methyl ethyl ketone 78-93-3 0.28 and meet Section 728.148 36 and meet Section 728.148

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standards	standards
D036 Wastes that are TC for Nitrobenzene based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.	
Nitrobenzene	98-95-3
0.068 and meet Section 728.148 standards	14 and meet Section 728.148 standards
D037 Wastes that are TC for Pentachlorophenol based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.	
Pentachlorophenol	87-86-5
0.089 and meet Section 728.148 standards	7.4 and meet Section 728.148 standards
D038 Wastes that are TC for pyridine based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.	
Pyridine	110-86-1
0.014 and meet Section 728.148 standards	16 and meet Section 728.148 standards
D039 Wastes that are TC for Tetrachloroethylene based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.	
Tetrachloroethylene	127-18-4
0.056 and meet Section 728.148 standards	6.0 and meet Section 728.148 standards
D040 Wastes that are TC for Trichloroethylene based on the TCLP in SW-846 Method	

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1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.	
Trichloroethylene	79-01-6
0.054 and meet Section 728.148 standards	6.0 and meet Section 728.148 standards
D041 Wastes that are TC for 2,4,5-Trichlorophenol based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.	
2,4,5-Trichlorophenol	95-95-4
0.18 and meet Section 728.148 standards	7.4 and meet Section 728.148 standards
D042 Wastes that are TC for 2,4,6-Trichlorophenol based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.	
2,4,6-Trichlorophenol	88-06-2
0.035 and meet Section 728.148 standards	7.4 and meet Section 728.148 standards
D043 Wastes that are TC for Vinyl chloride based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.	
Vinyl chloride	75-01-4
0.27 and meet Section 728.148 standards	6.0 and meet Section 728.148 standards
F001, F002, F003, F004, & F005 F001, F002, F003, F004, or F005 solvent wastes that contain any combination of one or more of the following spent solvents: acetone, benzene, n-butyl alcohol, carbon disulfide, carbon tetrachloride, chlorinated fluorocarbons, chlorobenzene, o-cresol, m-cresol, p-cresol, cyclohexanone, o-dichlorobenzene, 2-ethoxyethanol, ethyl acetate, ethyl benzene, ethyl ether, isobutyl alcohol,	



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methanol, methylene chloride, methyl ethyl ketone, methyl isobutyl ketone, nitrobenzene, 2-nitropropane, pyridine, tetrachloroethylene, toluene, 1,1,1-trichloroethane, 1,1,2-trichloroethane, 1,1,2-trichloro-1,1,2-trifluoroethane, trichloroethylene, trichloromonofluoromethane, or xylenes (except as specifically noted in other subcategories). See further details of these listings in 35 Ill. Adm. Code 721.131

Acetone	67-64-1	0.28	160
Benzene	71-43-2	0.14	10
n-Butyl alcohol	71-36-3	5.6	2.6
Carbon disulfide	75-15-0	3.8	NA
Carbon tetrachloride	56-23-5	0.057	6.0
Chlorobenzene	108-90-7	0.057	6.0
o-Cresol	95-48-7	0.11	5.6
m-Cresol (difficult to distinguish from p- cresol)	108-39-4	0.77	5.6

p-Cresol (difficult to distinguish from m- cresol)	106-44-5	0.77	5.6
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Cresol-mixed isomers	1319-77-3	0.88	11.2
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(Cresylic acid)  
(Sum of o-, m-, and p-  
cresol concentrations)

Cyclohexanone	108-94-1	0.36	NA
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o-Dichlorobenzene	95-50-1	0.088	6.0
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Ethyl acetate	141-78-6	0.34	33
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Ethyl benzene	100-41-4	0.057	10
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Ethyl ether	60-29-7	0.12	160
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Isobutyl alcohol	78-83-1	5.6	170
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Methanol	67-56-1	5.6	NA
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Methylene chloride	75-9-2	0.089	30
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Methyl ethyl ketone	78-93-3	0.28	36
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Methyl isobutyl ketone	108-10-1	0.14	33
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Nitrobenzene	98-95-3	0.068	14
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Pyridine	110-86-1	0.014	16
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Tetrachloroethylene	127-18-4	0.056	6.0
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Toluene	108-88-3	0.080	10
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1,1,1-Trichloroethane	71-55-6	0.054	6.0
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1,1,2-Trichloroethane	79-00-5	0.054	6.0
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1,1,2-Trichloro-1,2,2- trifluoroethane	76-13-1	0.057	30
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Trichloroethylene	70-01-6	0.054	6.0
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Trichloromonofluoro- methane	75-69-4	0.020	30
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Xylenes-mixed isomers	1330-20-7	0.32	30
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(sum of o-, m-, and p-  
xylene concentrations)

F001, F002, F003, F004 & F005		
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F003 and F005 solvent wastes that contain any combination of one or more of the following three solvents as the only listed F001 through F005 solvents: carbon disulfide, cyclohexanone, or methanol. (Formerly Section 728.141(c))

Carbon disulfide	75-15-0	3.8	4.8 mg/l TCLP
Cyclohexanone	108-94-1	0.36	0.75 mg/l TCLP
Methanol	67-56-1	5.6	0.75 mg/l TCLP

F001, F002, F003, F004 & F005		
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F005 solvent waste containing 2-Nitropropane as the only listed F001 through F005 solvent.

2-Nitropropane	79-46-9	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
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F001, F002, F003, F004 & F005		
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F005 solvent waste containing 2-Ethoxyethanol as the only listed F001 through F005 solvent.

2-Ethoxyethanol	110-80-5	BODG; or INCIN	INCIN
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F006		
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Wastewater treatment sludges from electroplating operations except from the following processes: (1) Sulfuric acid anodizing of aluminum; (2) tin plating on carbon steel; (3) zinc plating (segregated basis) on carbon steel; (4) aluminum or zinc-aluminum plating on carbon steel; (5) cleaning or stripping associated with tin, zinc, and aluminum plating on carbon steel; and (6) chemical etching and milling of aluminum.

Cadmium	7440-43-9	0.69	0.19 mg/l TCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total)(7)	57-12-5	1.2	590
Cyanides (Amenable)(7)	57-12-5	0.86	30
Lead	7439-92-1	0.69	0.37 mg/l TCLP
Nickel	7440-02-0	3.98	5.0 mg/l TCLP
Silver	7440-22-4	NA	0.30 mg/l TCLP

F007		
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Spent cyanide plating bath solutions from electroplating operations.

Cadmium	7440-43-9	NA	0.19 mg/l TCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total)(7)	57-12-5	1.2	590
Cyanides (Amenable)(7)	57-12-5	0.86	30

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Lead 7439-92-1 0.69 0.37 mg/l TCLP  
 Nickel 7440-02-0 3.98 5.0 mg/l TCLP  
 Silver 7440-22-4 NA 0.30 mg/l TCLP

F008  
 Plating bath residues from the bottom of plating baths from electroplating operations where cyanides are used in the process.

Cadmium 7440-43-9 NA 0.19 mg/l TCLP  
 Chromium (Total) 7440-47-3 2.77 0.86 mg/l TCLP  
 Cyanides (Total)(7) 57-12-5 1.2 590  
 Cyanides (Amenable)(7) 57-12-5 0.86 30  
 Lead 7439-92-1 0.69 0.37 mg/l TCLP  
 Nickel 7440-02-0 3.98 5.0 mg/l TCLP  
 Silver 7440-22-4 NA 0.30 mg/l TCLP

F009  
 Spent stripping and cleaning bath solutions from electroplating operations where cyanides are used in the process.

Cadmium 7440-43-9 NA 0.19 mg/l TCLP  
 Chromium (Total) 7440-47-3 2.77 0.86 mg/l TCLP  
 Cyanides (Total)(7) 57-12-5 1.2 590  
 Cyanides (Amenable)(7) 57-12-5 0.86 30  
 Lead 7439-92-1 0.69 0.37 mg/l TCLP  
 Nickel 7440-02-0 3.98 5.0 mg/l TCLP  
 Silver 7440-22-4 NA 0.30 mg/l TCLP

F010  
 Quenching bath residues from oil baths from metal heat treating operations where cyanides are used in the process.

Cyanides (Total)(7) 57-12-5 1.2 590  
 Cyanides (Amenable)(7) 57-12-5 0.88 NA

F011  
 Spent cyanide solutions from salt bath pot cleaning from metal heat treating operations.

Cadmium 7440-43-9 NA 0.19 mg/l TCLP  
 Chromium (Total) 7440-47-3 2.77 0.86 mg/l TCLP  
 Cyanides (Total)(7) 57-12-5 1.2 590  
 Cyanides (Amenable)(7) 57-12-5 0.86 30  
 Lead 7439-92-1 0.69 0.37 mg/l TCLP  
 Nickel 7440-02-0 3.98 5.0 mg/l TCLP  
 Silver 7440-22-4 NA 0.30 mg/l TCLP

F012  
 Quenching wastewater treatment sludges from metal heat treating operations where cyanides are used in the process.

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Cadmium 7440-43-9 NA 0.19 mg/l TCLP  
 Chromium (Total) 7440-47-3 2.77 0.86 mg/l TCLP  
 Cyanides (Total)(7) 57-12-5 1.2 590  
 Cyanides (Amenable)(7) 57-12-5 0.86 30  
 Lead 7439-92-1 0.69 0.37 mg/l TCLP  
 Nickel 7440-02-0 3.98 5.0 mg/l TCLP  
 Silver 7440-22-4 NA 0.30 mg/l TCLP

F019  
 Wastewater treatment sludges from the chemical conversion coating of aluminum except from zirconium phosphating in aluminum can washing when such phosphating is an exclusive conversion coating process.

Chromium (Total) 7440-47-3 2.77 0.86 mg/l TCLP  
 Cyanides (Total)(7) 57-12-5 1.2 590  
 Cyanides (Amenable)(7) 57-12-5 0.86 30

F020, F021, F022, F023, F026  
 Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production or manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of: (1) tri- or tetrachlorophenol, or of intermediates used to produce their pesticide derivatives, excluding wastes from the production of Hexachlorophene from highly purified 2,4,5-trichlorophenol (i.e., F020); (2) pentachlorophenol, or of intermediates used to produce its derivatives (i.e., F021); (3) tetra-, penta-, or hexachlorobenzenes under alkaline conditions (i.e., F022). Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production of materials on equipment previously used for the production or manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of: (1) tri- or tetrachlorophenols, excluding wastes from equipment used only for the production of Hexachlorophene from highly purified 2,4,5-trichlorophenol (F023); (2) tetra-, penta-, or hexachlorobenzenes under alkaline conditions (i.e., F026).

HxCDDs (All Hexachloro- NA 0.000063 0.001  
 dibenzo-p-dioxins)  
 HxCDFs (All Hexachloro- NA 0.000063 0.001  
 dibenzofurans)  
 PeCDDs (All Penta- NA 0.000063 0.001  
 chloro-dibenzo-p  
 -dioxins)  
 PeCDFs (All Pentachloro- NA 0.000035 0.001  
 dibenzofurans)  
 TCDDs (All Tetrachloro- NA 0.000063 0.001  
 dibenzo-p-dioxins)  
 TCDFs (All Tetrachloro- NA 0.000063 0.001  
 dibenzofurans)  
 2,4,5-Trichlorophenol 95-95-4 0.18 7.4

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2,4,6-Trichlorophenol	88-06-2	0.035	7.4
2,3,4,6-Tetrachloro-phenol	58-90-2	0.030	7.4
Pentachlorophenol	87-86-5	0.089	7.4

## F027

Discarded unused formulations containing tri-, tetra-, or pentachlorophenol or discarded unused formulations containing compounds derived from these chlorophenols. (This listing does not include formulations containing hexachlorophene synthesized from prepurified 2,4,5-trichlorophenol as the sole component.)

HxCDDs (All Hexachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
HxCDFs (All Hexachloro-dibenzofurans)	NA	0.000063	0.001
PeCDDs (All Pentachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
PeCDFs (All Pentachloro-dibenzofurans)	NA	0.000035	0.001
TCDDs (All Tetrachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
TCDFs (All Tetrachloro-dibenzofurans)	NA	0.000063	0.001
2,4,5-Trichlorophenol	95-95-4	0.18	7.4
2,4,6-Trichlorophenol	88-06-2	0.035	7.4
2,3,4,6-Tetrachloro-phenol	58-90-2	0.030	7.4
Pentachlorophenol	87-86-5	0.089	7.4

## F028

Residues resulting from the incineration or thermal treatment of soil contaminated with USEPA 8-9-EPA hazardous waste numbers F020, F021, F023, F026, and F027.

HxCDDs (All Hexachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
HxCDFs (All Hexachloro-dibenzofurans)	NA	0.000063	0.001
PeCDDs (All Pentachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
PeCDFs (All Pentachloro-dibenzofurans)	NA	0.000035	0.001
TCDDs (All Tetrachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
TCDFs (All Tetrachloro-dibenzofurans)	NA	0.000063	0.001
2,4,5-Trichlorophenol	95-95-4	0.18	7.4
2,4,6-Trichlorophenol	88-06-2	0.035	7.4
2,3,4,6-Tetrachloro-	58-90-2	0.030	7.4

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phenol	87-86-5	0.089	7.4
Pentachlorophenol			

## F024

Process wastes, including but not limited to, distillation residues, heavy ends, tars, and reactor clean-out wastes, from the production of certain chlorinated aliphatic hydrocarbons by free radical catalyzed processes. These chlorinated aliphatic hydrocarbons are those having carbon chain lengths ranging from one to an including five, with varying amounts and positions of chlorine substitution. (This listing does not include wastewaters, wastewater treatment sludges, spent catalysts, and wastes listed in 35 Ill. Adm. Code 721.131 or 721.132.)

All F024 wastes	NA	INCIN	INCIN
2-Chloro-1,3-butadiene	126-99-8	0.057	0.28
3-Chloropropylene	107-05-1	0.036	30
1,1-Dichloroethane	75-34-3	0.059	6.0
1,2-Dichloroethane	107-06-2	0.21	6.0
1,2-Dichloropropane	78-87-5	0.85	18
cis-1,3-Dichloro-propylene	10061-01-5	0.036	18
trans-1,3-Dichloro-propylene	10061-02-6	0.036	18
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28
Hexachloroethane	67-72-1	0.055	30
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Nickel	7440-02-0	3.98	5.0 mg/l TCLP

## F025

Condensed light ends from the production of certain chlorinated aliphatic hydrocarbons, by free radical catalyzed processes. These chlorinated aliphatic hydrocarbons are those having carbon chain lengths ranging from one to and including five, with varying amounts and positions of chlorine substitution.

## F025 - Light Ends Subcategory

Carbon tetrachloride	56-23-6	0.057	6.0
Chloroform	67-66-3	0.046	6.0
1,2-Dichloroethane	107-06-2	0.21	6.0
1,1-Dichloroethylene	75-35-4	0.025	6.0
Methylene chloride	75-9-2	0.089	30
1,1,2-Trichloroethane	79-00-5	0.054	6.0
Trichloroethylene	79-01-6	0.054	6.0
Vinyl chloride	75-01-4	0.27	6.0

## F025

Spent filters and filter aids, and spent desiccant wastes from the production



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of certain chlorinated aliphatic hydrocarbons, by free radical catalyzed processes. These chlorinated aliphatic hydrocarbons are those having carbon chain lengths ranging from one to and including five, with varying amounts and positions of chlorine substitution.

## F025 - Spent Filters or Aids and Desiccants Subcategory

Carbon tetrachloride	56-23-5	0.067	6.0
Chloroform	67-66-3	0.046	6.0
Hexachlorobenzene	118-74-1	0.055	10
Hexachlorobutadiene	87-68-3	0.055	5.6
Hexachloroethane	67-72-1	0.055	30
Methylene chloride	75-9-2	0.089	30
1,1,2-Trichloroethane	79-00-5	0.054	6.0
Trichloroethylene	79-01-6	0.054	6.0
Vinyl chloride	75-01-4	0.27	6.0

## F037

Petroleum refinery primary oil/water/solids separation sludge-Any sludge generated from the gravitational separation of oil/water/solids during the storage or treatment of process wastewaters and oily cooling wastewaters from petroleum refineries. Such sludges include, but are not limited to, those generated in: oil/water/solids separators; tanks and impoundments; ditches and other conveyances; sumps; and stormwater units receiving dry weather flow. Sludge generated in stormwater units that do not receive dry weather flow, sludges generated from non-contact once-through cooling waters segregated for treatment from other process or oily cooling waters, sludges generated in aggressive biological treatment units as defined in 35 Ill. Adm. Code 721.131(b)(2) (including sludges generated in after wastewaters have been treated in aggressive biological treatment units) and K051 wastes are not included in this listing.

Acenaphthene	83-32-9	0.059	NA
Anthracene	120-12-7	0.059	3.4
Benzene	71-43-2	0.14	10
Benz(a)anthracene	56-55-3	0.059	3.4
Benzo(a)pyrene	50-32-8	0.061	3.4
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28
Chrysene	218-01-9	0.059	3.4
Di-n-butyl phthalate	84-74-2	0.057	28
Ethylbenzene	100-41-4	0.057	10
Fluorene	86-73-7	0.059	NA
Naphthalene	91-20-3	0.059	5.6
Phenanthrene	85-01-8	0.059	5.6
Phenol	108-95-2	0.039	6.2
Pyrene	129-00-0	0.067	8.2
Toluene	108-88-3	0.080	10
Xylenes-mixed isomers (sum of o-, m-, and p-)	1330-20-7	0.032	30

Xylenes-mixed isomers (sum of o-, m-, and p-)

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xylene concentrations)

Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total)	57-12-5	1.2	590
Lead	7439-92-1	0.69	NA
Nickel	7440-02-0	NA	5.0 mg/l TCLP

## F038

Petroleum refinery secondary (emulsified) oil/water/solids separation sludge or float generated from the physical or chemical separation of oil/water/solids in process wastewaters and oily cooling wastewaters from petroleum refineries. Such wastes include, but are not limited to, all sludges and floats generated in: induced air floatation (IAF) units, tanks and impoundments, and all sludges generated in DAF units. Sludges generated in stormwater units that do not receive dry weather flow, sludges generated from non-contact once-through cooling waters segregated for treatment from other process or oily cooling waters, sludges and floats generated in aggressive biological treatment units as defined in 35 Ill. Adm. Code 721.131(b)(2) (including sludges and floats generated in one or more additional units after wastewaters have been treated in aggressive biological units) and F037, K048, and K051 are not included in this list.

Benzene	71-43-2	0.14	10
Benzo(a)pyrene	50-32-8	0.061	3.4
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28
Chrysene	218-01-9	0.059	3.4
Di-n-butyl phthalate	84-74-2	0.057	28
Ethylbenzene	100-41-4	0.057	10
Fluorene	86-73-7	0.059	NA
Naphthalene	91-20-3	0.059	5.6
Phenanthrene	85-01-8	0.059	5.6
Phenol	108-95-2	0.039	6.2
Pyrene	129-00-0	0.067	8.2
Toluene	108-88-3	0.080	10
Xylenes-mixed isomers (sum of o-, m-, and p-)	1330-20-7	0.32	30
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total)(7)	57-12-5	1.2	590
Lead	7439-92-1	0.69	NA
Nickel	7440-02-0	NA	5.0 mg/l TCLP

## F039

Leachate (liquids that have percolated through land disposed wastes) resulting from the disposal of more than one restricted waste classified as hazardous under 728.Subpart D. (Leachate resulting from the disposal of one or more of the following USEPA U-S--BPA hazardous wastes and no other hazardous wastes retains its USEPA U-S--BPA hazardous waste numbers: F020, F021, F022, F026, F027, or F028.

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Acenaphthylene	208-96-8	0.059	3.4
Acenaphthene	83-32-9	0.059	3.4
Acetone	67-64-1	0.28	160
Acetonitrile	75-05-8	5.6	NA
Acetophenone	96-86-2	0.010	9.7
2-Acetylaminofluorene	53-96-3	0.059	140
Acrolein	107-02-8	0.29	NA
Acrylonitrile	107-13-1	0.24	84
Aldrin	309-00-2	0.021	0.066
4-Aminobiphenyl	92-67-1	0.13	NA
Aniline	62-53-3	0.81	14
Anthracene	120-12-7	0.059	3.4
Aramite	140-57-8	0.36	NA
alpha-BHC	319-84-6	0.00014	0.066
beta-BHC	319-85-7	0.00014	0.066
delta-BHC	319-86-8	0.023	0.066
gamma-BHC	58-89-9	0.0017	0.066
Benzene	71-43-2	0.14	10
Benz(a)anthracene	56-55-3	0.059	3.4
Benzo(b)fluoranthene	205-99-2	0.11	6.8
(difficult to distinguish from benzo-(k)fluoranthene)			
Benzo(k)fluoranthene	207-08-9	0.11	6.8
(difficult to distinguish from benzo-(g,h,i)perylene)			
Benzo(g,h,i)perylene	191-24-2	0.0055	1.8
Benzo(a)pyrene	50-32-8	0.061	3.4
Bromodichloromethane	75-27-4	0.35	15
Methyl bromide (Bromo-methane)	74-83-9	0.11	15
4-Bromophenyl phenyl ether	101-55-3	0.055	15
n-Butyl alcohol	71-36-3	5.6	2.6
Butyl benzyl phthalate	85-68-7	0.017	28
2-sec-Butyl-4,6-dinitrophenol (Dinoseb)	88-85-7	0.066	2.5
Carbon disulfide	75-15-0	3.8	NA
Carbon tetrachloride	56-23-5	0.057	6.0
Chlordane (alpha and gamma isomers)	57-74-9	0.0033	0.26
p-Chloroaniline	106-47-8	0.46	16
Chlorobenzene	108-90-7	0.057	6.0
Chlorobenzilate	510-15-6	0.10	NA
2-Chloro-1,3-butadiene	126-99-8	0.057	NA
Chlorodibromomethane	124-48-1	0.057	15
Chloroethane	75-00-3	0.27	6.0

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bis(2-Chloroethoxy)-methane	111-91-1	0.036	7.2
bis(2-Chloroethyl)ether	111-44-4	0.033	6.0
Chloroform	67-66-3	0.046	6.0
bis(2-Chloroisopropyl)-ether	108-60-1	0.055	7.2
p-Chloro-m-cresol	39630-32-9		
Chloromethane (Methyl chloride)	59-50-7	0.018	14
	74-87-3	0.19	30
2-Chloronaphthalene	91-58-7	0.055	5.6
2-Chlorophenol	95-57-8	0.044	5.7
3-Chloropropylene	107-05-1	0.036	30
Chrysene	218-01-9	0.059	3.4
o-Cresol	95-48-7	0.11	5.6
m-Cresol	108-39-4	0.77	5.6
(difficult to distinguish from p-cresol)			
p-Cresol	106-44-5	0.77	5.6
(difficult to distinguish from m-cresol)			
Cyclohexanone	108-94-1	0.36	NA
1,2-Dibromo-3-chloropropane	96-12-8	0.11	15
Ethylene dibromide (1,2-Dibromoethane)	106-93-4	0.028	15
Dibromomethane	74-95-3	0.11	15
2,4-D (2,4-Dichlorophenoxyacetic acid)	94-75-7	0.72	10
o,p'-DDD	53-19-0	0.023	0.087
p,p'-DDD	72-54-8	0.023	0.087
o,p'-DDE	3424-82-6	0.031	0.087
p,p'-DDE	72-55-9	0.031	0.087
o,p'-DDT	789-02-6	0.0039	0.087
p,p'-DDT	50-29-3	0.0039	0.087
Dibenz(a,h)anthracene	53-70-3	0.055	8.2
Dibenz(a,e)pyrene	192-65-4	0.061	NA
m-Dichlorobenzene	541-73-1	0.036	6.0
o-Dichlorobenzene	95-50-1	0.088	6.0
p-Dichlorobenzene	106-46-7	0.090	6.0
Dichlorodifluoromethane	75-71-8	0.23	7.2
1,1-Dichloroethane	75-34-3	0.059	6.0
1,2-Dichloroethane	107-06-2	0.21	6.0
1,1-Dichloroethylene	75-35-4	0.025	6.0
trans-1,2-Dichloroethylene	156-60-5	0.054	30
2,4-Dichlorophenol	120-83-2	0.044	14

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2,6-Dichlorophenol	87-65-0	0.044	14
1,2-Dichloropropane	78-87-5	0.85	18
cis-1,3-Dichloro-propylene	10061-01-5	0.036	18
trans-1,3-Dichloro-propylene	10061-02-6	0.036	18
Dieldrin	60-57-1	0.017	0.13
Diethyl phthalate	84-66-2	0.20	28
2,4-Dimethyl phenol	105-67-9	0.036	14
Dimethyl phthalate	131-11-3	0.047	28
Di-n-butyl phthalate	84-74-2	0.057	28
1,4-Dinitrobenzene	100-25-4	0.32	2.3
4,6-Dinitro-o-cresol	534-52-1	0.28	160
2,4-Dinitrophenol	51-28-5	0.12	160
2,4-Dinitrotoluene	121-14-2	0.32	140
2,6-Dinitrotoluene	606-20-2	0.55	28
Di-n-octyl phthalate	117-84-0	0.017	28
Di-n-propylnitrosamine	621-64-7	0.40	14
1,4-Dioxane	123-91-1	NA	170
Diphenylamine (difficult to distinguish from diphenylnitrosamine)	122-39-4	0.92	NA
Diphenylnitrosamine	86-30-6	0.92	NA
(difficult to distinguish from diphenylamine)			
1,2-Diphenylhydrazine	122-66-7	0.087	NA
Disulfoton	298-04-4	0.017	6.2
Endosulfan I	939-98-8	0.023	0.066
Endosulfan II	33213-6-5	0.029	0.13
Endosulfan sulfate	1-31-07-8	0.029	0.13
Endrin	72-20-8	0.0028	0.13
Endrin aldehyde	7421-93-4	0.025	0.13
Ethyl acetate	141-78-6	0.34	33
Ethyl cyanide (Propane-nitrile)	107-12-0	0.24	360
Ethyl benzene	100-41-4	0.057	10
Ethyl ether	60-29-7	0.12	160
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28
Ethyl methacrylate	97-63-2	0.14	160
Ethylene oxide	75-21-8	0.12	NA
Famphur	52-85-7	0.017	15
Fluoranthene	206-44-0	0.068	3.4
Fluorene	86-73-7	0.059	3.4
Heptachlor	76-44-8	0.0012	0.066
Heptachlor epoxide	1024-57-3	0.016	0.066
Hexachlorobenzene	118-74-1	0.055	10

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Hexachlorobutadiene	87-68-3	0.055	5.6
Hexachlorocyclopentadiene	77-47-4	0.057	2.4
HxCDDs (All Hexachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
HxCDFs (All Hexachloro-dibenzofurans)	NA	0.000063	0.001
Hexachloroethane	67-72-1	0.055	30
Hexachloropropylene	1888-71-7	0.035	30
Indeno (1,2,3-c,d) pyrene	193-39-5	0.0055	3.4
Iodomethane	74-88-4	0.19	65
Isobutyl alcohol	78-83-1	5.6	170
Isodrin	465-73-6	0.021	0.066
Isosafrole	120-58-1	0.081	2.6
Kepone	143-50-8	0.0011	0.13
Methacrylonitrile	126-98-7	0.24	84
Methanol	67-56-1	5.6	NA
Methapyrilene	91-80-5	0.081	1.5
Methoxychlor	72-43-5	0.25	0.18
3-Methylcholanthrene	56-49-5	0.0055	15
4,4-Methylene bis(2-chloroaniline)	101-14-4	0.50	30
Methylene chloride	75-09-2	0.089	30
Methyl ethyl ketone	78-93-3	0.28	36
Methyl isobutyl ketone	108-10-1	0.14	33
Methyl methacrylate	80-62-6	0.14	160
Methyl methansulfonate	66-27-3	0.018	NA
Methyl parathion	298-00-0	0.014	4.6
Naphthalene	91-20-3	0.059	5.6
2-Naphthylamine	91-59-8	0.52	NA
p-Nitroaniline	100-01-6	0.028	28
Nitrobenzene	98-95-3	0.068	14
5-Nitro-o-toluidine	99-55-8	0.32	28
p-Nitrophenol	100-02-7	0.12	29
N-Nitrosodiethylamine	55-18-5	0.40	28
N-Nitrosodiethylamine	62-75-9	0.40	NA
N-Nitroso-di-n-butyl-amine	924-16-3	0.40	17
N-Nitrosomethylethyl-amine	10595-95-6	0.40	2.3
N-Nitrosomorpholine	59-89-2	0.40	2.3
N-Nitrosopiperidine	100-75-4	0.013	35
N-Nitrosopyrrolidine	930-55-2	0.013	35
Parathion	56-38-2	0.014	4.6
Total PCBs	1336-36-3	0.10	10
(sum of all PCB isomers, or all Aroclors)			



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Pentachlorobenzene	608-93-5	0.055	10
PeCdds (All Pentachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
PeCDFs (All Pentachloro-dibenzofurans)	NA	0.000035	0.001
Pentachloronitrobenzene	82-68-8	0.055	4.8
Pentachlorophenol	87-86-5	0.089	7.4
Phenacetin	62-44-2	0.081	16
Phenanthrene	85-01-8	0.059	5.6
Phenol	108-95-2	0.039	6.2
Phorate	298-02-2	0.021	4.6
Phthalic anhydride	85-44-9	0.055	NA
Promamide	23950-58-5	0.093	1.5
Pyrene	129-00-0	0.067	8.2
Pyridine	110-86-1	0.014	16
Safrole	94-59-7	0.081	22
Silvex (2,4,5-TP)	93-72-1	0.72	7.9
2,4,5-T	93-76-5	0.72	7.9
1,2,4,5-Tetrachlorobenzene	95-94-3	0.055	14
TCDs (All Tetrachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
TCDs (All Tetrachloro-dibenzofurans)	NA	0.000063	0.001
1,1,1,2-Tetrachloroethane	630-20-6	0.057	6.0
1,1,2,2-Tetrachloroethane	79-34-6	0.057	6.0
Tetrachloroethylene	127-18-4	0.056	6.0
2,3,4,6-Tetrachlorophenol	58-90-2	0.030	7.4
Toluene	108-88-3	0.080	10
Toxaphene	8001-35-2	0.0095	2.6
Bromofom (Tribromomethane)	75-25-2	0.63	15
1,2,4-Trichlorobenzene	120-82-1	0.055	19
1,1,1-Trichloroethane	71-55-6	0.054	6.0
1,1,2-Trichloroethane	79-00-5	0.054	6.0
Trichloroethylene	79-01-6	0.054	6.0
Trichloromono-fluoromethane	75-69-4	0.020	30
2,4,5-Trichlorophenol	95-95-4	0.18	7.4
2,4,6-Trichlorophenol	88-06-2	0.035	7.4
1,2,3-Trichloropropane	96-18-4	0.85	30
1,1,2-Trichloro-1,2,2-trifluoroethane	76-13-1	0.057	30
tris(2,3-Dibromopropyl) phosphate	126-72-7	0.11	NA

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Vinyl chloride	75-01-4	0.27	6.0
Xylenes-mixed isomers (sum of o-, m-, and p-xylene concentrations)	1330-20-7	0.32	30
Antimony	7440-36-0	1.9	2.1 mg/1 TCLP
Arsenic	7440-38-2	1.4	5.0 mg/1 TCLP
Barium	7440-39-3	1.2	7.6 mg/1 TCLP
Beryllium	7440-41-7	0.82	NA
Cadmium	7440-43-9	0.69	0.19 mg/1 TCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/1 TCLP
Cyanides (Total)(7)	57-12-5	1.2	590
Cyanides (Amenable)(7)	57-12-5	0.86	NA
Fluoride	16964-48-8	35	NA
Lead	7439-92-1	0.69	0.37 mg/1 TCLP
Mercury	7439-97-6	0.15	0.025 mg/1 TCLP
Nickel	7440-02-0	3.98	5.0 mg/1 TCLP
Selenium	7782-49-2	0.82	0.16 mg/1 TCLP
Silver	7440-22-4	0.43	0.30 mg/1 TCLP
Sulfide	8496-25-8	14	NA
Thallium	7440-28-0	1.4	NA
Vanadium	7440-62-2	4.3	NA
K001			
Bottom sediment sludge from the treatment of wastewaters from wood preserving processes that use creosote or pentachlorophenol.			
Naphthalene	91-20-3	0.059	5.6
Pentachlorophenol	87-86-5	0.089	7.4
Phenanthrene	85-01-8	0.059	5.6
Pyrene	129-00-0	0.067	8.2
Toluene	108-88-3	0.080	10
Xylenes-mixed isomers (sum of o-, m-, and p-xylene concentrations)	1330-20-7	0.32	30
Lead	7439-92-1	0.69	0.37 mg/1 TCLP
K002			
Wastewater treatment sludge from the production of chrome yellow and orange pigments.			
Chromium (Total)	7440-47-3	2.77	0.86 mg/1 TCLP
Lead	7439-92-1	0.69	0.37 mg/1 TCLP
K003			
Wastewater treatment sludge from the production of molybdate orange pigments.			
Chromium (Total)	7440-47-3	2.77	0.86 mg/1 TCLP
Lead	7439-92-1	0.69	0.37 mg/1 TCLP
K004			

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

## Wastewater treatment sludge from the production of zinc yellow pigments.

Chromium (Total) 7440-47-3 2.77 0.86 mg/l TCLP  
 Lead 7439-92-1 0.69 0.37 mg/l TCLP

## K005 Wastewater treatment sludge from the production of chrome green pigments.

Chromium (Total) 7440-47-3 2.77 0.86 mg/l TCLP  
 Lead 7439-92-1 0.69 0.37 mg/l TCLP  
 Cyanides (Total)(7) 57-12-5 1.2 590

## K006 Wastewater treatment sludge from the production of chrome oxide green pigments

(anhydrous).  
 Chromium (Total) 7440-47-3 2.77 0.86 mg/l TCLP  
 Lead 7439-92-1 0.69 0.37 mg/l TCLP

## K006 Wastewater treatment sludge from the production of chrome oxide green pigments

(hydrated).  
 Chromium (Total) 7440-47-3 2.77 0.86 mg/l TCLP  
 Lead 7439-92-1 0.69 NA

## K007 Wastewater treatment sludge from the production of iron blue pigments.

Chromium (Total) 7440-47-3 2.77 0.86 mg/l TCLP  
 Lead 7439-92-1 0.69 NA  
 Cyanides (Total)(7) 57-12-5 1.2 590

## K008 Oven residue from the production of chrome oxide green pigments.

Chromium (Total) 7440-47-3 2.77 0.86 mg/l TCLP  
 Lead 7439-92-1 0.69 0.37 mg/l TCLP

## K009 Distillation bottoms from the production of acetaldehyde from ethylene.

Chloroform 67-66-3 0.046 6.0

## K010 Distillation side cuts from the production of acetaldehyde from ethylene.

Chloroform 67-66-3 0.046 6.0

## K011 Bottom stream from the wastewater stripper in the production of acrylonitrile.

Acetonitrile 75-05-8 5.6 18  
 Acrylonitrile 107-13-1 0.24 84  
 Acrylamide 79-06-1 19 23  
 Benzene 71-43-2 0.14 10  
 Cyanide (Total) 57-12-5 1.2 590

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

## K013

Bottom stream from the acetonitrile column in the production of acrylonitrile.  
 Acetonitrile 75-05-8 5.6 1.8  
 Acrylonitrile 107-13-1 0.24 84  
 Acrylamide 79-06-1 19 23  
 Benzene 71-43-2 0.14 10  
 Cyanide (Total) 57-12-5 1.2 590

## K014

Bottoms from the acetonitrile purification column in the production of acrylonitrile.  
 Acetonitrile 75-05-8 5.6 1.8  
 Acrylonitrile 107-13-1 0.24 84  
 Acrylamide 79-06-1 19 23  
 Benzene 71-43-2 0.1410  
 Cyanide (Total) 57-12-5 1.2 590

## K015

Still bottoms from the distillation of benzyl chloride.  
 Anthracene 120-12-7 0.059 3.4  
 Benzal chloride 98-87-3 0.055 6.0  
 Benzo(b)fluoranthene 205-99-2 0.11 6.8  
 (difficult to distinguish from benzo-(k)fluoranthene)  
 Benzo(k)fluoranthene 207-08-9 0.11 6.8  
 (difficult to distinguish from benzo-(b)fluoranthene)  
 Phenanthrene 85-01-8 0.059 5.6  
 Toluene 108-88-3 0.080 10  
 Chromium (Total) 7440-47-3 2.77 0.86 mg/l TCLP  
 Nickel 7440-02-0 3.98 5.0 mg/l TCLP

## K016

Heavy ends or distillation residues from the production of carbon tetrachloride.  
 Hexachlorobenzene 118-74-1 0.055 10  
 Hexachlorobutadiene 87-68-3 0.055 5.6  
 Hexachlorocyclopentadiene 77-47-4 0.057 2.4  
 Hexachloroethane 67-72-1 0.055 30  
 Tetrachloroethylene 127-18-4 0.056 6.0

## K017

Heavy ends (still bottoms) from the purification column in the production of epichlorohydrin.  
 Bis(2-Chloroethyl)ether 111-44-4 0.033 6.0

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

1,2-Dichloropropane 78-87-5 0.85 18  
 1,2,3-Trichloropropane 96-18-4 0.85 30  
 K018  
 Heavy ends from the fractionation column in ethyl chloride production.  
 Chloroethane 75-00-3 0.27 6.0  
 Chloromethane 74-87-3 0.19 NA  
 1,1,-Dichloroethane 75-34-3 0.059 6.0  
 1,2-Dichloroethane 107-06-2 0.21 6.0  
 Hexachlorobenzene 118-74-1 0.055 10  
 Hexachlorobutadiene 87-88-3 0.055 5.6  
 Hexachloroethane 67-72-1 0.055 30  
 Pentachloroethane 76-01-7 NA 6.0  
 1,1,1-Trichloroethane 71-55-6 0.054 6.0

## K019

Heavy ends from the distillation of ethylene dichloride in ethylene dichloride production.

bis(2-Chloroethyl) ether 111-44-4 0.033 6.0  
 Chlorobenzene 108-90-7 0.057 6.0  
 Chloroform 67-66-3 0.046 6.0  
 p-Dichlorobenzene 106-46-7 0.090 NA  
 1,2-Dichloroethane 107-06-2 0.21 6.0  
 Fluorene 86-73-7 0.059 NA  
 Hexachloroethane 67-72-1 0.055 30  
 Naphthalene 91-20-3 0.059 5.6  
 Phenanthrene 85-01-8 0.059 5.6  
 1,2,4,5-Tetrachloro- 95-94-3 0.055 NA  
 benzene  
 Tetrachlorethylene 127-18-4 0.056 6.0  
 1,2,4-Trichlorobenzene 120-82-1 0.055 19  
 1,1,1-Trichloroethane 71-55-6 0.054 6.0

## K020

Heavy ends from the distillation of vinyl chloride in vinyl chloride monomer production.

1,2-Dichloroethane 107-06-2 0.21 6.0  
 1,1,2,2-Tetrachloro 79-34-6 0.057 6.0  
 ethane  
 Tetrachloroethylene 127-18-4 0.056 6.0

## K021

Aqueous spent antimony catalyst waste from fluoromethane production.  
 Carbon tetrachloride 56-23-5 0.057 6.0  
 Chloroform 67-66-3 0.046 6.0  
 Antimony 7440-36-0 1.9 2.1 mg/l TCLP

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

K022  
 Distillation bottom tars form the production of phenol or acetone from cumene.  
 Toluene 108-88-3 0.080 10  
 Acetophenone 96-86-2 0.010 9.7  
 Diphenylamine 122-39-4 0.92 13  
 (difficult)  
 to distinguish from  
 diphenylnitrosamine)  
 Diphenylnitrosamine 86-30-6 0.92 13  
 (difficult to  
 distinguish from  
 diphenylamine)  
 Phenol 108-95-2 0.039 6.2  
 Chromium (Total) 7440-47-3 2.77 0.86 mg/l TCLP  
 Nickel 7440-02-0 0.98 5.0 mg/l TCLP

## K023

Distillation light ends from the production of phthalic anhydride from naphthalene.

Phthalic anhydride 100-21-0 0.055 28  
 (measured as Phthalic acid or Terephthalic acid)  
 Phthalic anhydride 85-44-9 0.055 28

## K024

Distillation bottoms from the production of phthalic anhydride from naphthalene.

Phthalic anhydride 100-21-0 0.055 28  
 (measured as Phthalic acid or Terephthalic acid)  
 Phthalic anhydride 85-44-9 0.055 28

## K025

Distillation bottoms from the production of nitrobenzene by the nitration of benzene.

NA NA NA LLEXT fb SSTRP INCIN  
 fb CARBN; or  
 INCIN

## K026

Stripping still tails from the production of methyl ethyl pyridines.  
 NA NA INCIN

## K027

Centrifuge and distillation residues from the toluene diisocyanate production.  
 NA NA CARBN; or  
 CMBST



POLLUTION CONTROL BOARD  
NOTICE OF ADOPTED AMENDMENTS

INCIN		IN the production of 1,1,1-trichloroethane.	
K028	Spent catalyst from the hydrochlorinator reactor in the production of 1,1,1-trichloroethane.		
	1,1-Dichloroethane	75-34-3	0.059
	trans-1,2-Dichloroethene	156-60-5	0.054
	Hexachlorobutadiene	87-88-3	0.055
	Hexachloroethane	67-72-1	0.055
	Pentachloroethane	76-01-7	NA
	1,1,1,2-Tetrachloroethane	630-20-6	0.057
	1,1,2,2-Tetrachloroethane	79-34-6	0.057
	Tetrachloroethylene	127-18-4	0.056
	1,1,1-Trichloroethane	71-55-6	0.054
	1,1,2-Trichloroethane	79-00-5	0.054
	Cadmium	7440-43-9	0.69
	Chromium (Total)	7440-47-3	2.77
	Lead	7439-92-1	0.69
	Nickel	7440-02-0	3.98

K029		Waste from the product steam stripper in the production of 1,1,1-trichloroethane.	
	Chloroform	67-66-3	0.046
	1,2-Dichloroethane	107-06-2	0.21
	1,1-Dichloroethylene	75-35-4	0.025
	1,1,1-Trichloroethane	71-55-6	0.054
	Vinyl chloride	75-01-4	0.27

K030		Column bodies or heavy ends from the combined production of trichloroethylene and perchloroethylene.	
	o-Dichlorobenzene	95-50-1	0.088
	p-Dichlorobenzene	106-46-7	0.090
	Hexachlorobutadiene	87-68-3	0.055
	Hexachloroethane	67-72-1	0.055
	exachloropropylene	1888-71-7	NA
	entachlorobenzene	608-93-5	NA
	entachloroethane	76-01-7	NA
	1,2,4,5-Tetrachlorobenzene	95-94-3	0.055
	etrachloroethylene	127-18-4	0.056
	1,2,4-Trichlorobenzene	120-82-1	0.055

K031

POLLUTION CONTROL BOARD  
NOTICE OF ADOPTED AMENDMENTS

K032		By-product salts generated in the production of MSMA and cacodylic acid.	
	Arsenic	7440-38-2	1.4

K033		Wastewater treatment sludge from the production of chlordanes.	
	Hexachlorocyclopentadiene	77-47-4	0.057
	Chlordane (alpha and gamma isomers)	57-74-9	0.0033
	Heptachlor	76-44-8	0.0012
	Heptachlor epoxide	1024-57-3	0.016

K034		Wastewater and scrub water from the chlorination of cyclopentadiene in the production of chlordanes.	
	Hexachlorocyclopentadiene	77-47-4	0.057

K035		Filter solids from the filtration of hexachlorocyclopentadiene in the production of chlordanes.	
	Hexachlorocyclopentadiene	77-47-4	0.057

K035		Wastewater treatment sludges generated in the production of creosote.	
	Acenaphthene	83-32-9	NA
	Anthracene	120-12-7	NA
	Benz(a)anthracene	56-55-3	0.061
	Benzo(a)pyrene	50-32-8	0.061
	Chrysene	218-01-9	0.059
	o-Cresol	95-48-7	0.11
	m-Cresol	108-39-4	0.77
	(difficult to distinguish from p-cresol)		
	p-Cresol	106-44-5	0.77
	(difficult to distinguish from m-cresol)		
	Dibenz(a,h)anthracene	53-70-3	NA
	Fluoranthene	206-44-0	0.068
	Fluorene	86-73-7	NA
	Indeno(1,2,3-cd)pyrene	193-39-5	NA
	Naphthalene	91-20-3	0.059
	Phenanthrene	85-01-8	0.059
	Phenol	108-95-2	0.039
	Pyrene	129-00-0	0.067

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

K036	Still bottoms from toluene reclamation distillation in the production of disulfoton.	Disulfoton	298-04-4	0.017	6.2	
K037	Wastewater treatment sludges from the production of disulfoton.	Disulfoton	298-04-4	0.017	6.2	
		Toluene	108-88-3	0.080	10	
K038	Wastewater from the washing and stripping of phorate production.	Phorate	298-02-2	0.021	4.6	
K039	Filter cake from the filtration of diethyphosphorodithioic acid in the production of phorate.	NA				
		CARBN; or INCIN			CMBST	
K040	Wastewater treatment sludge from the production of phorate.	Phorate	298-02-2	0.021	4.6	
K041	Wastewater treatment sludge from the production of toxaphene.	Toxaphene	8001-35-2	0.0095	2.6	
K042	Heavy ends or distillation residues from the distillation of tetrachlorobenzene in the production of 2,4,5-T.	o-Dichlorobenzene	95-50-1	0.088	6.0	
		p-Dichlorobenzene	106-46-7	0.090	6.0	
		Pentachlorobenzene	608-93-5	0.055	10	
		1,2,4,5-Tetrachlorobenzene	95-94-3	0.055	14	
		1,2,4-Trichlorobenzene	120-82-1	0.055	19	
K043	2,6-Dichlorophenol waste from the production of 2,4-D.	2,4-Dichlorophenol	120-83-2	0.044	14	
		2,6-Dichlorophenol	187-65-0	0.044	14	
		2,4,5-Trichlorophenol	95-95-4	0.18	7.4	
		2,4,6-Trichlorophenol	88-06-2	0.035	7.4	
		2,3,4,6-Tetrachlorophenol	58-90-2	0.030	7.4	
		Pentachlorophenol	87-86-5	0.089	7.4	
		Tetrachloroethylene	127-18-4	0.056	6.0	

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

HxCDDs (All Hexachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
HxCDFs (all Hexachloro-dibenzofurans)	NA	0.000063	0.001
PeCDDs (All Pentachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
PeCDDs (All Pentachloro-dibenzofurans)	NA	0.000035	0.001
TCDDs (All Tetrachloro-dibenzo-p-dioxins)	NA	0.00063	0.001
TCDFs (All Tetrachloro-dibenzofurans)	NA	0.00063	0.001
K044	Wastewater treatment sludges from the manufacturing and processing of explosives.		
NA	NA	DEACT	DEACT
K045	Spent carbon from the treatment of wastewater containing explosives.		
NA	NA	DEACT	DEACT
K046	Wastewater treatment sludges from the manufacturing, formulation and loading of lead-based initiating compounds.		
Lead	7439-92-1	0.69	0.37 mg/l TCLP
K047	Pink or red water from TNT operations.		
NA	NA	DEACT	DEACT
K048	Dissolved air flotation (DAF) float from the petroleum refining industry.		
Benzene	71-43-2	0.14	10
Benzo(a)pyrene	50-32-8	0.61	3.4
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28
Chrysene	218-01-9	0.059	3.4
Di-n-butyl phthalate	84-74-2	0.057	28
Ethylbenzene	100-41-4	0.057	10
Fluorene	86-73-7	0.059	NA
Naphthalene	91-20-3	0.059	5.6
Phenanthrene	85-01-8	0.059	5.6
Phenol	108-95-2	0.039	6.2
Pyrene	129-00-0	0.067	8.2
Toluene	108-88-33	0.080	10
Xylenes-mixed isomers (sum of o-, m-, and p-	1330-20-7	0.32	30

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

xylene concentrations)		
Chromium (Total)	7440-47-3	2.77
Cyanides (Total)(7)	57-12-5	1.2
Lead	7439-92-1	0.69
Nickel	7440-02-0	NA

## K049

Slop oil emulsion solids from the petroleum refining industry.

Anthracene	120-12-7	0.059	3.4
Benzene	71-43-2	0.14	10
Benzo(a)pyrene	50-32-8	0.061	3.4
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28

Carbon disulfide

Chrysene

2,4-Dimethylphenol

Ethylbenzene

Naphthalene

Phenanthrene

Phenol

Pyrene

Toluene

Xylenes-mixed isomers (sum of o-, m-, and p-xylene concentrations)

Cyanides (Total)(7)

Chromium (Total)

Lead

Nickel

75-15-0

2218-01-9

105-67-9

100-41-4

91-20-3

85-01-8

108-95-2

129-00-0

108-88-3

1330-20-7

1.2

2.77

0.69

NA

NA

3.4

NA

10

5.6

6.2

8.2

10

30

590

0.86 mg/l TCLP

NA

5.0 mg/l TCLP

K050 Heat exchanger bundle cleaning sludge from the petroleum refining industry.

Benzo(a)pyrene	50-32-8	0.061	3.4
Phenol	108-95-2	0.039	6.2
Cyanides (Total)(7)	57-12-5	1.2	590
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	NA
Nickel	7440-02-0	NA	5.0 mg/l TCLP

## K051

API separator sludge from the petroleum refining industry.

Acenaphthene	83-32-9	0.059	NA
Anthracene	120-12-7	0.059	3.4
Benzo(a)anthracene	56-55-3	0.059	3.4
Benzene	71-43-2	0.14	10
Benzo(a)pyrene	50-32-8	0.061	3.4
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Chrysene	2218-01-9	0.059	3.4
Di-n-butyl phthalate	105-67-9	0.057	28
Ethylbenzene	100-41-4	0.057	10
Fluorene	86-73-7	0.059	NA
Naphthalene	91-20-3	0.059	5.6
Phenanthrene	85-01-8	0.059	5.6
Phenol	108-95-2	0.039	6.2
Pyrene	129-00-0	0.067	8.2
Toluene	106-88-3	0.08	10
Xylenes-mixed isomers (sum of o-, m-, and p-xylene concentrations)	1330-20-7	0.32	30

Cyanidies (Total)(7)

Chromium (Total)

Lead

Nickel

57-12-5

7440-47-3

7439-92-1

7440-02-0

1.2

2.77

0.69

NA

590

0.86 mg/l TCLP

NA

5.0 mg/l TCLP

## K052

Tank bottoms (lead) from the petroleum refining industry.

Benzene	71-43-2	0.14	10
Benzo (a)pyrene	50-32-8	0.061	3.4
o-Cresol	95-48-7	0.11	5.6
m-Cresol	108-39-4	0.77	5.6

(difficult to distinguish from p-cresol)

p-Cresol

(difficult to distinguish from m-cresol)

2,4-Dimethylphenol

Ethylbenzene

Naphthalene

Phenanthrene

Phenol

Toluene

Xylenes-mixed isomers (sum of o-, m-, and p-xylene concentrations)

Chromium (Total)

Cyanides (Total)(7)

Lead

Nickel

0.77

5.6

0.036

0.057

0.059

0.059

0.039

0.08

0.32

2.77

1.2

0.69

NA

NA

10

5.6

5.6

6.2

10

30

0.86 mg/l TCLP

590

NA

5.0 mg/l TCLP

## K060

Ammonia still lime sludge from coking operations.

Benzene	71-43-2	0.14	10
Benzo(a) pyrene	50-32-8	0.061	3.4



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Naphthalene	91-20-3	0.059	5.6
Phenol	108-95-2	0.039	6.2
Cyanides (Total)(7)	57-12-5	1.2	590
K061	Emission control dust or sludge from the primary production of steel in electric furnaces.		
Antimony	7440-36-0	NA	2.1 mg/l TCLP
Arsenic	7440-38-2	NA	5.0 mg/l TCLP
Barium	7440-39-3	NA	7.6 mg/l TCLP
Beryllium	7440-41-7	NA	0.014 mg/l TCLP
			TCLP
Cadmium	7440-43-9	0.69	0.19 mg/l TCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP
Mercury	7439-97-6	NA	0.025 mg/l TCLP
Nickel	7440-02-0	3.98	5.0 mg/l TCLP
Selenium	7782-49-2	NA	0.16 mg/l TCLP
Silver	7740-22-4	NA	0.30 mg/l TCLP
Thallium	NA	NA	0.078 mg/l TCLP
Zinc	7440-66-6	NA	5.3 mg/l TCLP
K062	Spent pickle liquor generated by steel finishing operations of facilities within the iron and steel industry (SIC Codes 331 and 332).		
Chromium (Total)	7740-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP
Nickel	7440-02-0	3.98	NA
K069	Emission control dust or sludge from secondary lead smelting. - Calcium sulfate (Low Lead) Subcategory		
Cadmium	7440-43-9	0.69	0.19 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP
K069	Emission control dust or sludge from secondary lead smelting. - Non-Calcium sulfate (High Lead) Subcategory		
NA	NA	NA	RLEAD
K071	K071 (Brine purification muds from the mercury cell process in chlorine production, where separately prepurified brine is not used) nonwastewaters that are residues from RMERC.		
Mercury	7439-97-6	NA	0.20 mg/l TCLP
K071	K071 (Brine purification muds from the mercury cell process in chlorine production, where separately prepurified brine is to used) nonwastewaters that are not residues from RMERC.		
Mercury	7439-97-6	NA	0.025 mg/l TCLP

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production, where separately prepurified brine is to used) nonwastewaters that are not residues from RMERC.			
Mercury	7439-97-6	NA	0.025 mg/l TCLP
K071	All K071 wastewaters.		
Mercury	7439-97-6	0.015	NA
K073	Chlorinated hydrocarbon waste from the purification step of the diaphragm cell process using graphite anodes in chlorine production.		
	Carbon tetrachloride	56-23-5	0.057
	Chloroform	67-66-3	0.046
	Hexachloroethane	67-72-1	0.055
	Tetrachloroethylene	127-18-4	0.058
	1,1,1-Trichloroethane	71-55-6	0.054
K083	Distillation bottoms from aniline production.		
Aniline	62-53-3	0.81	14
Benzene	71-43-2	0.14	10
Cyclohexanone	108-94-1	0.36	NA
Diphenylamine	122-39-4	0.92	13
(difficult to distinguish from diphenylnitrosamine)			
(difficult to distinguish from diphenylamine)			
Nitrobenzene	98-95-3	0.068	14
Phenol	108-95-2	0.039	6.2
Nickel	7440-02-0	3.98	5.0 mg/l TCLP
K084	Wastewater treatment sludges generated during the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.		
Arsenic	7440-38-2	1.4	5.0 mg/l TCLP
K085	Distillation or fractionation column bottoms from the production of chlorobenzenes.		
Benzene	71-43-2	0.014	10
Chlorobenzene	108-90-7	0.057	6.0
m-Dichlorobenzene	541-73-1	0.036	6.0
o-Dichlorobenzene	95-50-1	0.088	6.0
p-Dichlorobenzene	106-46-7	0.090	6.0

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Hexachlorobenzene	118-74-1	0.055	10
Total PCBs	1336-36-3	0.10	10
(sum of all PCB isomers, or all Aroclors)			
Pentachlorobenzene	608-93-5	0.055	10
1,2,4,5-Tetrachlorobenzene	95-94-3	0.055	10
1,2,4-Trichlorobenzene	120-82-1	0.055	19

## K086

Solvent wastes and sludges, caustic washes and sludges, or water washes and sludges from cleaning tubs and equipment used in the formulation of ink from pigments, driers, soaps, and stabilizers containing chromium and lead.

Acetone	67-64-1	0.28	160
Acetophenone	96-86-2	0.010 *	9.7
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28

n-Butyl alcohol	71-36-3	5.6	2.6
Butylbenzyl phthalate	85-68-7	0.017	28
Cyclohexanone	108-94-1	0.36	NA
o-Dichlorobenzene	95-50-1	0.088	6.0
Diethyl phthalate	84-66-2	0.20	28
Dimethyl phthalate	131-11-3	0.047	28
Di-n-butyl phthalate	84-74-2	0.057	28
Di-n-octyl phthalate	117-84-0	0.017	28
Ethyl acetate	141-78-6	0.34	33
Ethylbenzene	100-41-4	0.057	10
Methanol	67-56-1	5.6	NA
Methyl ethyl ketone	78-93-3	0.28	36
Methyl isobutyl ketone	108-10-1	0.14	33
Methylene chloride	75-09-2	0.089	30
Naphthalene	91-20-3	0.059	5.6
Nitrobenzene	98-95-3	0.068	14
Toluene	108-88-3	0.080	10
1,1,1-Trichloroethane	71-55-6	0.054	6.0
Trichloroethylene	79-01-6	0.054	6.0
Xylenes-mixed isomers	1330-20-7	0.32	30
(sum of o-, m-, and p-xylene concentrations)	1330-20-7	0.32	30
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total)(7)	57-12-5	1.2	590
Lead	7439-92-1	0.69	0.37 mg/l TCLP

## K087

Decanter tank tar sludge from coking operations.

Acenaphthylene	208-96-8	0.059	3.4
Benzene	71-43-2	0.14	10
Chrysene	218-01-9	0.059	3.4

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Fluoranthene	206-44-0	0.068	3.4
Indenol(1,2,3-cd)pyrene	193-39-5	0.0055	3.4
Naphthalene	91-20-3	0.059	5.6
Phenanthrene	85-01-8	0.059	5.6
Toluene	108-88-3	0.080	10
Xylenes-mixed isomers	1330-20-7	0.32	30
(sum of o-, m-, and p-xylene concentrations)			
Lead	7439-92-1	0.069	0.37 mg/l TCLP

## K093

Distillation light ends from the production of phthalic anhydride from orthoxylyene.

Phthalic anhydride	100-21-0	0.055	28
(measured as Phthalic acid or erephthalic acid)			
Phthalic anhydride	85-44-9	0.055	28

## K094

Distillation bottoms from the production of phthalic anhydride from orthoxylyene.

Phthalic anhydride	100-21-0	0.055	28
(measured as Phthalic acid or Terephthalic acid)			
Phthalic anhydride	85-44-9	0.055	28

## K095

Distillation bottoms from the production of 1,1,1-trichloroethane.

Hexachloroethane	67-72-1	0.055	30
Pentachloroethane	76-01-7	0.055	6.0
1,1,1,2-Tetrachloroethane	630-20-6	0.057	6.0
1,1,2,2-Tetrachloroethane	79-34-6	0.057	6.0
Trichloroethylene	127-18-4	0.056	6.0
1,1,2-Trichloroethane	79-00-5	0.054	6.0
Trichloroethylene	79-01-6	0.054	6.0

## K096

Heavy ends from the heavy ends column from the production of 1,1,1-trichloroethane.

m-Dichlorobenzene	541-73-1	0.036	6.0
Pentachloroethane	76-01-7	0.055	6.0
1,1,1,2-Tetrachloroethane	630-20-6	0.057	6.0
1,1,2,2-Tetrachloroethane	79-34-6	0.057	6.0

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ethane			
Tetrachloroethylene	127-18-4	0.056	6.0
1,2,4-Trichlorobenzene	120-82-1	0.055	19
1,1,2-Trichloroethane	79-00-5	0.054	6.0
Trichloroethylene	79-01-6	0.054	6.0

## K097

Vacuum stripper discharge from the chlordane chlorinator in the production of chlordane.

Chlordane alpha and gamma isomers)	57-74-9	0.0033	0.26
Heptachlor	76-44-8	0.0012	0.066
Heptachlor epoxide	1024-57-3	0.016	0.068
Hexachlorocyclopentadiene	77-47-4	0.057	2.4

## K098

Untreated process wastewater from the production of toxaphene.

Toxaphene	8001-35-2	0.0095	2.6
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## K099

Untreated wastewater from the production of 2,4-D.

2,4-Dichlorophenoxyacetic acid	94-75-7	0.72	10
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HxCDDs (All Hexachlorodibenzo-p-dioxins)	NA	0.000063	0.001
HxCDFs (All) Hexachlorodibenzofurans)	NA	0.000063	0.001
PeCDDs (All Pentachlorodibenzo-p-dioxins)	NA	0.000063	0.001
PeCDFs (All Pentachlorodibenzofurans)	NA	0.000035	0.001
TCDDs (All Tetrachlorodibenzo-p-dioxins)	NA	0.000063	0.001
TCDFs (All Tetrachlorodibenzofurans)	NA	0.000063	0.001

## K100

Waste leaching solution from acid leaching of emission control dust or sludge from secondary lead smelting.

Cadmium	7440-43-9	0.69	0.19 mg/l TCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP

## K101

Distillation tar residues from the distillation of aniline-based compounds in the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.

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o-Nitroaniline	88-74-4	0.27	14
Arsenic	7440-38-2	1.4	5.0 mg/l TCLP
Cadmium	7440-43-9	0.69	NA
Lead	7439-92-1	0.69	NA
Mercury	7439-97-6	0.15	NA

## K102

Residue from the use of activated carbon for decolorization in the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.

o-Nitrophenol	88-75-5	0.028	13
Arsenic	7440-38-2	1.4	5.0 mg/l TCLP
Cadmium	7440-43-9	0.069	NA
Lead	7439-92-1	0.69	NA
Mercury	7439-97-6	0.15	NA

## K103

Process residues from aniline extraction from the production of aniline.

Aniline	62-53-3	0.81	14
Benzene	71-43-2	0.14	10
2,4-Dinitrophenol	51-28-5	0.12	160
Nitrobenzene	98-95-3	0.068	14
Phenol	108-95-2	0.039	6.2

## K104

Combined wastewater streams generated from nitrobenzene or aniline production.

Aniline	62-53-3	0.81	14
Benzene	71-43-2	0.14	10
2,4-Dinitrophenol	51-28-5	0.12	160
Nitrobenzene	98-95-3	0.068	14
Phenol	108-95-2	0.039	6.2
Cyanides (Total)(7)	57-12-5	1.2	590

## K105

Separated aqueous stream from the reactor product washing step in the production of chlorobenzenes.

Benzene	71-43-2	0.14	10
Chlorobenzene	108-90-7	0.057	6.0
2-Chlorophenol	95-57-8	0.044	5.7
o-Dichlorobenzene	95-50-1	0.088	6.0
p-Dichlorobenzene	106-46-7	0.090	6.0
Phenol	108-95-2	0.039	6.2
2,4,5-Trichlorophenol	95-95-4	0.18	7.4
2,4,6-Trichlorophenol	88-06-2	0.035	7.4

## K106

K106 (wastewater treatment sludge from the mercury cell process in chloroalkene production) nonwastewaters that contain greater than or equal to 260 mg/kg total mercury.



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Mercury	7439-97-6	NA	RMERC
K106			
K106 (wastewater treatment sludge from the mercury cell process in chlorine production) nonwastewaters that contain less than 260 mg/kg total mercury that are residues from RMERC.			
Mercury	7439-97-6	NA	0.20 mg/l TCLP
K106			
Other K106 nonwastewaters that contain less than 260 mg/kg total mercury and are not residues from RMERC.			
Mercury	7439-97-6	NA	0.025 mg/l TCLP
K106			
All K106 wastewaters.			
Mercury	7439-97-6	0.15	NA
K107			
Column bottoms from product separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.			
NA	NA	INCIN; or	INCIN
		CHOXD fb	
		CARBN; or	
		BIODG fb CARBN	
K108			
Condensed colum overheads from product separation and condensed reactor vent gases from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.			
NA	NA	INCIN; or	INCIN
		CHOXD fb	
		CARBN; or	
		BIODG fb CARBN	
K109			
Spent filter cartridges from product purification from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.			
NA	NA	INCIN; or	INCIN
		CHOXD fb	
		CARBN; or	
		BIODG fb CARBN	
K110			
Condensed column overheads from intermediate separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.			
NA	NA	INCIN; or	INCIN
		CHOXD fb	

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			CARBN; or
			BIODG fb CARBN
K111			
Product washwaters from the production of dinitrotoluene via nitration of toluene.			
2,4-Dinitrotoluene	121-1-1	0.32	140
2,6-Dinitrotoluene	606-20-2	0.55	28
K112			
Reaction by-product water from the drying column in the production of toluenediamine via hydrogenation of dinitrotoluene.			
NA	NA	INCIN; or	INCIN
		CHOXD fb	
		CARBN; or	
		BIODG fb CARBN	
K113			
Condensed liquid light ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.			
NA	NA	CARBN; or	CMBST
		INCIN	
K114			
Vicinals from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.			
NA	NA	CARBN; or	CMBST
		INCIN	
K115			
Heavy ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.			
Nickel	7440-02-0	3.98	5.0 mg/l TCLP
NA	NA	CARBN; or	CMBST
		INCIN	
K116			
Organic condensate from the solvent recovery column in the production of toluene diisocyanate via phosgenation of toluenediamine.			
NA	NA	CARBN; or	CMBST
		INCIN	
K117			
Wastewater from the reactor vent gas scrubber in the production of ethylene dibromide via bromination of ethene.			
Methyl bromide (Bromo-methane)	74-83-90.11	15	
Chloroform	67-66-3	0.046	6.0

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Ethylene-dibromide (1,2-Dibromoethane)	15	0.028	106-93-4	0.028	15
K118					
Spent absorbent solids from purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.	15	0.11	Methyl bromide (Bromo-methane)	74-83-9	0.11
Chloroform	6.0	0.046	67-66-3		
Ethylene dibromide (1,2-Dibromoethane)	15	0.028	106-93-4		
K123					
Process wastewater (including supernates, filtrates, and washwaters) from the production of ethylenedisulfocarbamic acid and its salts.	INCIN		NA	INCIN; or CHOXD fb (BODG or CARBN)	INCIN
K124					
Reactor vent scrubber water from the production of ethylenedisulfocarbamic acid and its salts.	INCIN; or CHOXD fb (BODG or CARBN)		NA	INCIN; or CHOXD fb (BODG or CARBN)	INCIN
K125					
Filtration, evaporation, and centrifugation solids from the production of ethylenedisulfocarbamic acid and its salts.	INCIN; or CHOXD fb (BODG or CARBN)		NA	INCIN; or CHOXD fb (BODG or CARBN)	INCIN
K126					
Baghouse dust and floor sweeping in milling and packaging operations from the production or formulation of ethylenedisulfocarbamic acid and its salts.	INCIN; or CHOXD fb (BODG or CARBN)		NA	INCIN; or CHOXD fb (BODG or CARBN)	INCIN
K131					
Wastewater from the reactor and spent sulfuric acid from the acid dryer from the production of methyl bromide.					

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Methyl bromide (Bromo-methane)	0.11	74-83-9	0.11	15
K132				
Spent absorbent and wastewater separator solids from the production of methyl bromide.	0.11	74-83-9	0.11	15
K136				
Still bottoms from the purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.	0.11	74-83-9	0.11	15
Methyl bromide (Bromo-methane)	0.046	67-66-3	0.046	6.0
Chloroform	0.028	106-93-4	0.028	15
Ethylene dibromide (1,2-Dibromoethane)				
K141				
Process residues from the recovery of coal tar, including, but not limited to, collecting sump residues from the production of coke or the recovery of coke by-products produced from coal. This listing does not include K087 (decanter tank tar sludge from coking operations).	0.14	71-43-2	0.14	10
Benzene	0.059	56-55-3	0.059	3.4
Benz(a)anthracene	0.061	50-2-8	0.061	3.4
(difficult to distinguish from benzo(k)fluoranthene)				
Benzo(k)fluoranthene	0.11	207-08-9	0.11	6.8
(difficult to distinguish from benzo(b)fluoranthene)				
Chrysene	0.059	218-01-9	0.059	3.4
Diben(a,h)anthracene	0.055	53-70-3	0.055	8.2
Indeno(1,2,3-cd)pyrene	0.0055	193-39-5	0.0055	3.4
K142				
Tar storage tank residues from the production of coke from coal or from the recovery of coke by-products produced from coal.	0.14	71-43-2	0.14	10
Benzene	0.059	56-55-3	0.059	3.4
Benzo(a)anthracene	0.061	50-32-8	0.061	3.4
Benzo(b)fluoranthene	0.11	205-99-2	0.11	6.8
(difficult to distinguish from benzo(k)fluoranthene)				
Benzo(k)fluoranthene	0.11	207-08-9	0.11	6.8
(difficult to				

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distinguish from benzo-(b)fluoranthene)			Dibenz(a,h)anthracene	53-70-3	0.055
Chrysene	218-01-9	0.059	Naphthalene	91-20-3	0.059
		3.4			6.2
Dibenz(a,h)anthracene	53-70-3	8.2			5.6
Ideno(1,2,3-cd)pyrene	193-39-5	3.4			
K143					
Process residues from the recovery of light oil, including, but not limited to, those generated in stills, decanters, and wash oil recovery units from the recovery of coke by-products produced from coal.					
Benzone	71-43-2	0.14			
		10			
Benz(a)anthracene	56-55-3	0.059			
		3.4			
Benzo(a)pyrene	50-32-8	0.061			
		3.4			
Benzo(b)fluoranthene	205-99-2	0.11			
		6.8			
(difficult to distinguish from benzo-(k)fluoranthene)					
Benzo(k)fluoranthene	207-08-9	0.11			
		6.8			
(difficult to distinguish from benzo-(b)fluoranthene)					
Chrysene	218-01-9	0.059			
		3.4			
Dibenz(a,h)anthracene	53-70-3	8.2			
Benzo(b)fluoranthene	205-99-2	0.11			
		6.8			
(difficult to distinguish from benzo-(k)fluoranthene)					
Benzo(k)fluoranthene	207-08-9	0.11			
		6.8			
(difficult to distinguish from benzo-(b)fluoranthene)					
Chrysene	218-01-9	0.059			
		3.4			
Dibenz(a,h)anthracene	53-70-3	8.2			
K145					
Residues from naphthalene collection and recovery operations from the recovery of coke by-products produced from coal.					
Benzone	71-43-2	0.14			
		10			
Benz(a)anthracene	56-55-3	0.059			
		3.4			
Benzo(a)pyrene	50-32-8	0.061			
		3.4			
Benzo(b)fluoranthene	205-99-2	0.11			
		6.8			
(difficult to distinguish from benzo-(k)fluoranthene)					
Benzo(k)fluoranthene	207-08-9	0.11			
		6.8			
(difficult to distinguish from benzo-(b)fluoranthene)					
Chrysene	218-01-9	0.059			
		3.4			
Dibenz(a,h)anthracene	53-70-3	0.055			
		8.2			
K148					
Residues from coal tar distillation, including, but not limited to, still bottoms.					
Benzo(a)anthracene	56-55-3	0.059			
		3.4			
Benzo(a)pyrene	50-32-8	0.061			
		3.4			
Benzo(b)fluoranthene	205-99-2	0.11			
		6.8			
(difficult to distinguish from benzo-(k)fluoranthene)					
Benzo(k)fluoranthene	207-08-9	0.11			
		6.8			
(difficult to distinguish from benzo-(b)fluoranthene)					
Chrysene	218-01-9	0.059			
		3.4			
Dibenz(a,h)anthracene	53-70-3	0.055			
		8.2			
Indeno(1,2,3-cd)pyrene	193-39-5	0.0055			
		3.4			
K149					
Distillation bottoms from the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups. (This waste does not include still bottoms from the distillations of benzyl chloride.)					
Chlorobenzene	108-90-7	0.057			
		6.0			
Chloroform	67-66-3	0.046			
		6.0			
Chloromethane	74-87-3	0.19			
		30			
p-Dichlorobenzene	106-46-7	0.090			
		6.0			
Hexachlorobenzene	118-74-1	0.055			
		10			
Pentachlorobenzene	608-93-5	0.055			
		10			



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1,2,4,5-Tetrachloro-  
benzene 95-94-3 0.055 14  
Toluene 108-88-3 0.080 10

## K150

Organic residuals, excluding spent carbon adsorbent, from the spent chlorine gas and hydrochloric acid recovery processes associated with the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups.

Carbon tetrachloride 56-23-5 0.057 6.0  
Chloroform 67-66-3 0.046 6.0  
Chloromethane 74-87-3 0.19 30  
p-Dichlorobenzene 106-46-7 0.090 6.0  
Hexachlorobenzene 118-74-1 0.055 10  
Pentachlorobenzene 608-93-5 0.055 10  
1,2,4,5-Tetrachloro-  
benzene 95-94-3 0.055 14

1,1,2,2-Tetrachloro-  
ethane 79-34-5 0.057 6.0  
Tetrachloroethylene 127-18-4 0.056 6.0  
1,2,4-Trichlorobenzene 120-82-1 0.055 19

## K151

Wastewater treatment sludges, excluding neutralization and biological sludges, generated during the treatment of wastewaters from the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups.

Benzene 71-43-2 0.14 10  
Carbon tetrachloride 56-23-5 0.057 6.0  
Chloroform 67-66-3 0.046 6.0  
Hexachlorobenzene 118-74-1 0.055 10  
Pentachlorobenzene 608-93-5 0.055 10  
1,2,4,5-Tetrachloro-  
benzene 95-94-3 0.055 14  
Tetrachloroethylene 127-18-4 0.056 6.0  
Toluene 108-88-3 0.080 10

## P001

Warfarin, & salts, when present at concentrations greater than 0.3%  
Warfarin 81-81-2 (WETOX or CMBST  
CHOXD) fb  
CARBN; or  
INCIN

## P002

1-Acetyl-2-thiourea  
1-Acetyl-2-thiourea 591-08-2 (WETOX or INCIN  
CHOXD) fb

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

CARBN; or  
INCIN

## P003

Acrolein  
Acrolein 107-02-6 0.29 CMBST

## P004

Aldrin  
Aldrin 309-00-2 0.021 0.068

## P005

Allyl alcohol  
Allyl alcohol 107-18-6 (WETOX or CMBST  
CHOXD) fb  
CARBN; or  
INCIN

## P006

Aluminum phosphide  
Aluminum phosphide 20859-73-6 CHOXD;CHRED;  
or INCIN CHOXD;CHRED;  
or INCIN

## P007

5-Aminomethyl-3-  
isoxazolol  
5-Aminomethyl-3-isoxa-  
zolol 2763-96-4 (WETOX or INCIN  
CHOXD) fb  
CARBN; or  
INCIN

## P008

4-Aminopyridine  
4-Aminopyridine 504-24-5 (WETOX or INCIN  
CHOXD) fb  
CARBN; or  
INCIN

## P009

Ammonium picrate  
Ammonium picrate 131-74-8 CHOXD; CHRED;  
CARBN; BIODG;  
or INCIN CHOXD; CHRED;  
or CMBST

## P010

Arsenic acid  
Arsenic 7440-38-2 1.4 5.0 mg/l TCLP

POLLUTION CONTROL BOARD  
NOTICE OF ADOPTED AMENDMENTS

P011	Arsenic pentoxide	7440-38-2	1.4	5.0 mg/l TCLP	
	Arsenic				
P012	Arsenic trioxide	7440-38-2	1.4	5.0 mg/l TCLP	
	Arsenic				
P013	Barium cyanide	7440-39-3	NA	7.6 mg/l TCLP	
	Barium	57-12-5	A	590	
	Cyanides (Total)(7)	57-12-5	0.86	30	
	Cyanides (Amendable)(7)				
P014	Thiophenol (Benzene thiol)	108-98-5	(WETOX or CHOXD) fb	INCIN	
	Thiophenol (Benzene thiol)		CARBN; or INCIN		
P015	Beryllium dust	7440-41-7	RMETL; or RTHRM	RMETL; or RTHRM	
	Beryllium				
P016	Dichloromethyl ether (Bis(chloromethyl)ether)	542-88-1	(WETOX or CHOXD) fb	INCIN	
	Dichloromethyl ether		CARBN; or INCIN		
P017	Bromoacetone	598-31-2	(WETOX or CHOXD) fb	INCIN	
	Bromoacetone		CARBN; or INCIN		
P018	Brucine	357-57-3	(WETOX or CHOXD) fb	INCIN	
	Brucine		CARBN; or INCIN		
P020					

POLLUTION CONTROL BOARD  
NOTICE OF ADOPTED AMENDMENTS

	2-sec-Butyl-4,6-dinitrophenol (Dinoseb)	0.066	2.5	
	2-sec-Butyl-4,6-dinitro-phenol (Dinoseb)			
P021	Calcium cyanide	57-12-5	1.2	590
	Cyanides (Total)(7)	57-12-5	0.86	30
	Cyanides (Amendable)(7)			
P022	Carbon disulfide	75-15-0	3.8	INCIN
	Carbon disulfide	75-15-0	NA	4.8 mg/l TCLP
	Carbon disulfide; alternate(6) standard for nonwastewaters only			
P023	Chloroacetaldehyde	107-20-0	(WETOX or CHOXD) fb	INCIN
	Chloroacetaldehyde		CARBN; or INCIN	
P024	p-Chloroaniline	106-47-8	.46-0.46	16
	p-Chloroaniline			
P026	1-(o-Chlorophenyl)thiourea	5344-82-1	(WETOX or CHOXD) fb	INCIN
	1-(o-Chlorophenyl)thiourea		CARBN; or INCIN	
P027	3-Chloropropionitrile	542-76-7	(WETOX or CHOXD) fb	INCIN
	3-Chloropropionitrile		CARBN; or INCIN	
P028	Benzyl chloride	100-44-7	(WETOX or CHOXD) fb	INCIN
	Benzyl chloride		CARBN; or INCIN	





## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

2,4-Dinitrophenol	51-28-5	0.12	160
P049			
Dithiobiuret	541-53-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P050			
Endosulfan			
Endosulfan I	939-98-8	0.023	0.066
Endosulfan II	33213-6-5	0.029	0.13
Endosulfan sulfate	1031-07-8	0.029	0.13
P051			
Endrin	72-20-8	0.0028	0.13
Endrin aldehyde	7421-93-4	0.025	0.13
P054			
Aziridine	151-56-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P056			
Fluorine	16964-48-8	35	ADGAS fb NEUTR
Fluoride (measured in wastewaters only)			
P057			
Fluoroacetamide	640-19-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P058			
Fluoroacetic acid, sodium salt			
Fluoroacetic acid, sodium salt	62-74-8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P059			
Heptachlor			

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Heptachlor	76-44-8	0.0012	0.066
Heptachlor epoxide	1024-57-3	0.016	0.066
P060			
Isodrin			
Isodrin	465-73-6	0.021	0.066
P062			
Hexaethyl tetraphosphate			
Hexaethyl tetraphosphate	757-58-4	CARBN; or INCIN	CMBST
P063			
Hydrogen cyanide			
Cyanides (Total)(7)	57-12-5	1.2	590
Cyanides (Amenable)(7)	57-12-5	0.86	30
P064			
Isocyanic acid, ethyl ester			
Isocyanic acid, ethyl ester	624-83-9	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P065			
(mercury fulminate)) nonwastewaters, regardless of their total mercury content, that are not incinerator residues or are not residues from RMERC.			
Mercury	7439-97-6	NA	IMERC
P065			
(mercury fulminate) nonwastewaters that are either incinerator residues or are residues from RMERC; and contain greater than or equal to 260 mg/kg total mercury.			
Mercury	7339-97-6	RMERC	
P065			
(mercury fulminate) nonwastewaters that are residues from RMERC and contain less than 260 mg/kg total mercury.			
Mercury	7439-97-6	NA	0.20 mg/l TCLP
P065			
(mercury fulminate) nonwastewaters that ar incinerator residues and contain less than 260 mg/kg total mercury.			
Mercury	7439-97-6	NA	0.025 mg/l TCLP
P065			



## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Octamethylpyrophosphor- amide	152-16-9	CARBN; or INCIN	CMBST
P087 Osmium tetroxide	20816-12-0	RMETL; or RTHRM	RMETL; or RTHRM
P088 Endothall	145-73-3	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
P089 Parathion	56-38-2	0.014	4.6
P092 P092 (phenyl mercuric acetate) nonwastewaters, regardless of their total mercury content, that are not incinerator residues or are not residues from RMERC.	7439-97-6	NA	IMERC; or RMERC
P092 P092 (phenyl mercuric acetate) nonwastewaters that are either incinerator residues or are residues from RMERC; and still contain greater than or equal to 260 mg/kg total mercury.	7439-97-6	NA	RMERC
P092 P092 (phenyl mercuric acetate) nonwastewaters that are residues from RMERC and contain less than 260 mg/kg total mercury.	7439-97-6	NA	0.20 mg/l TCLP
P092 P092 (phenyl mercuric acetate) nonwastewaters that are incinerator residues and contain less than 260 mg/kg total mercury.	7439-97-6	NA	0.025 mg/l TCLP
P092 All P092 (phenyl mercuric acetate) wastewaters.	7439-97-6	0.15	NA
P093			

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Phenylthiourea Phenylthiourea	103-85-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P094 Phorate	298-02-2	0.021	4.6
P095 Phosgene	75-44-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P096 Phosphine	7803-51-2	CHOXD; CHRED; or INCIN	CHOXD; CHRED; or INCIN
P097 Famphur	52-85-7	0.017	15
P098 Potassium cyanide	57-12-5	1.2	590
Cyanides (Total)(7)	57-12-5	0.86	30
Cyanides (Amenable)(7)	7440-22-4	0.43	0.30mg/l TCLP
P099 Potassium silver cyanide	57-12-5	1.2	590
Cyanides (Total)(7)	57-12-5	0.86	30
Cyanides (Amenable)(7)	7440-22-4	0.43	0.30mg/l TCLP
P101 Ethyl cyanide (Propanenitrile)	107-12-0	0.24	360
P102 Propargyl alcohol	107-19-7	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST



## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

P103 Selenourea Selenium	7782-49-2	0.82	0.16 mg/l TCLP
P104 Silver cyanide	57-12-5	1.2	590
Cyanides (Total)(7)	57-12-5	0.86	30
Cyanides (Amenable)(7)	7440-22-4	0.43	0.30 mg/l TCLP
P105 Sodium azide	26628-22-8	CHOXD; CHRED; CAREN; BIODG; or INCIN	CHOXD; CHRED; or CMBST
P106 Sodium cyanide	57-12-5	1.2	590
Cyanides (Total)(7)	57-12-5	0.86	30
Cyanides (Amenable)(7)			
P108 Strychnine and salts	57-24-9	(WETOX or CHOXD) fb CAREN; or INCIN	INCIN
P109 Tetraethylthiopyrophosphate	3689-24-5	CAREN; or INCIN	CMBST
P110 Tetraethyl lead	7439-92-1	0.69	0.37 mg/l TCLP
P111 Tetraethylpyrophosphate	107-49-3	CAREN; or INCIN	CMBST
P112 Tetranitromethane	509-14-8	CHOXD; CHRED; CAREN; BIODG; or INCIN	CHOXD; CHRED; or CMBST

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

P113 Thallic oxide	7440-28-0	1.4	RTHRM; or STABL
Thallium (measured in wastewaters only)			
P114 Thallium selenite	7782-49-2	0.82	0.16mg/l TCLP
Selenium			
P115 Thallium (I) sulfate	7440-28-0	1.4	RTHRM; or STABL
Thallium (measured in wastewaters only)			
P116 Thiosemicarbazide	79-19-6	(WETOX or CHOXD) fb CAREN; or INCIN	INCIN
P118 Trichloromethanethiol	75-70-7	(WETOX or CHOXD) fb CAREN; or INCIN	INCIN
P119 Ammonium vanadate	7440-62-2	4.3	STABL
Vanadium (measured in wastewaters only)			
P120 Vanadium pentoxide	7440-62-2	4.3	STABL
Vanadium (measured in wastewaters only)			
P121 Zinc cyanide	57-12-5	1.2	590
Cyanides (Total)(7)	57-12-5	0.86	30
Cyanides (Amenable)(7)			
P122 Zinc phosphide Zn[11P(2)], when present at concentrations greater than 10%	1314-84-7	CHOXD; CHRED; or INCIN	CHOXD; CHRED; or INCIN
Zinc Phosphide			

POLLUTION CONTROL BOARD  
NOTICE OF ADOPTED AMENDMENTS

PL23 Toxaphene Toxaphene	8001-35-2	0.0095	2.6	
U001 Acetaldehyde Acetaldehyde	75-07-0	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST	
U002 Acetone Acetone	67-64-1	0.28	160	
U003 Acetonitrile Acetonitrile Acetonitrile; alternate standard for nonwastewaters only	75-05-8 75-05-8 (6)5-05-8	5.6 NA	INCIN 1.8	
U004 Acetophenone Acetophenone	98-86-2	0.010	9.7	
U005 2-Acetylaminofluorene 2-Acetylaminofluorene	53-96-3	0.059	140	
U006 Acetyl chloride Acetyl chloride	75-36-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
U007 Acrylamide Acrylamide	79-06-1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
U008 Acrylic acid Acrylic acid	79-10-7	(WETOX or CHOXD) fb	CMBST	

POLLUTION CONTROL BOARD  
NOTICE OF ADOPTED AMENDMENTS

U009 Acrylonitrile Acrylonitrile	107-13-1	0.24	84	CARBN; or INCIN
U010 Mitomycin C Mitomycin C	50-07-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
U011 Amitrole Amitrole	61-82-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
U012 Aniline Aniline	62-53-3	0.81	14	
U014 Auramine Auramine	492-80-8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
U015 Azaserine Azaserine	115-02-6	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
U016 Benz(c)acridine Benz(c)acridine	225-51-4	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST	
U017 Benzal chloride Benzal chloride				

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Benzal chloride 98-87-3 (WETOX or CHOXD) fb CARBN; or INCIN

U018

Benz(a)anthracene

56-55-3

0.059

3.4

U-19

Benzene

71-43-2

0.14

10

U020

Benzenesulfonyl chloride

98-09-9

(WETOX or CHOXD) fb CARBN; or INCIN

INCIN

U021

Benzidine

Benzidine

92-87-5

(WETOX or CHOXD) fb CARBN; or INCIN

INCIN

U022

Benzo(a)pyrene

50-32-8

0.061

3.4

U023

Benzotrithloride

Benzotrithloride

98-07-7

CHOXD; CHRED; CARBN; BIODG; or INCIN

CHOXD; CHRED; or CMBST

U024

bis(2-Chloroethoxy)methane

111-91-1

0.036

7.2

U025

bis(2-Chloroethyl)ether

111-44-4

0.033

6.0

U026

Chlornaphazine

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Chlornaphazine 494-03-1 (WETOX or CHOXD) fb CARBN; or INCIN

U027

bis(2-Chloroisopropyl)ether

bis(2-Chloroisopropyl) ether

108-60-1

39698-92-9

0.055

7.2

U028

bis(2-Ethylhexyl)phthalate

bis(2-Ethylhexyl)-phthalate

117-81-7

0.28

28

U029

Methyl bromide (Bromomethane)

Methyl bromide (Bromo- methane)

74-83-9

0.11

15

U030

4-Bromophenyl phenyl ether

4-Bromophenyl phenyl ether

101-55-3

0.055

15

U031

n-Butyl alcohol

n-Butyl alcohol

71-36-3

5.6

2.6

U032

Calcium chromate

Chromium (Total)

7440-47-3

2.77

0.86 mg/l TCLP

U033

Carbon oxyfluoride

Carbon oxyfluoride

353-50-4

(WETOX or CHOXD) fb CARBN; or INCIN

INCIN

U034

Trichloroacetaldehyde (Chloral)

Trichloroacetaldehyde (Chloral)

75-87-6

(WETOX or CHOXD) fb CARBN; or INCIN

INCIN

U035



POLLUTION CONTROL BOARD  
NOTICE OF ADOPTED AMENDMENTS

Chlorambucil Chlorambucil	305-03-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U036 Chlordane	57-74-9	0.0033	0.26
Chlordane (alpha and gamma isomers)			
U037 Chlorobenzene	108-90-7	0.057	6.0
Chlorobenzene			
U038 Chlorobenzilate	510-15-6	0.10	INCIN
Chlorobenzilate			
U039 p-Chloro-m-cresol	59-50-7	0.018	14
p-Chloro-m-cresol			
U041 Epichlorohydrin (1- Chloro-2,3-epoxypropane)	106-89-8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
Epichlorohydrin (1- Chloro-2,3-epoxypropane)			
U042 2-Chloroethyl vinyl ether	110-75-8	0.062	INCIN
2-Chloroethyl vinyl ether			
U043 Vinyl chloride	75-01-4	0.27	6.0
Vinyl chloride			
U044 Chloroform	67-66-3	0.046	6.0
Chloroform			
U045 Chloromethane (Methyl chloride)	74-87-3	0.19	30
Chloromethane (Methyl chloride)			

POLLUTION CONTROL BOARD  
NOTICE OF ADOPTED AMENDMENTS

chloride)			
U046 Chloromethyl methyl ether	107-30-2	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
Chloromethyl methyl ether			
U047 2-Chloronaphthalene	91-58-7	0.055	5.6
2-Chloronaphthalene			
U048 2-Chlorophenol	95-57-8	0.044	5.7
2-Chlorophenol			
U049 4-Chloro-o-toluidine hydrochloride	3165-93-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
4-Chloro-o-toluidine hydrochloride			
U050 Chrysene	218-01-9	0.059	3.4
Chrysene			
U051 Creosote	91-20-3	0.059	5.6
Naphthalene	87-86-5	0.089	7.4
Pentachlorophenol	85-01-8	0.059	5.6
Phenanthrene	129-00-0	0.067	8.2
Pyrene	108-88-3	0.080	10
Toluene	1330-20-7	0.32	30
Xylenes-mixed isomers (sum of o-, m-, and p- xylene concentrations)			
Lead	7439-92-1	0.69	0.37 mg/l TCLP
U052 Cresols (Cresylic acid)	95-48-7	0.11	5.6
o-Cresol	108-39-4	0.77	5.6
m-Cresol (difficult to distinguish from p- cresol)			
p-Cresol (difficult to	106-44-5	0.77	5.6

POLLUTION CONTROL BOARD  
NOTICE OF ADOPTED AMENDMENTS

distinguish from m-cresol) Cresol-mixed isomers (Cresylic acid) (sum of o-, m-, and p-cresol concentrations)	1319-77-3	0.88	11.2	DDD o,p'-DDD p,p'-DDD	53-19-0 72-54-8	0.023 0.023	0.087 0.087
U053 Crotonaldehyde Crotonaldehyde	4170-30-3	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST	U061 DDT o,p'-DDT p,p'-DDT o,p'-DDD p,p'-DDD o,p'-DDE p,p'-DDE	789-02-6 50-29-3 53-19-0 72-54-8 3424-82-6 72-55-9	0.0339 0.0039 0.023 0.023 0.031 0.031	0.087 0.087 0.087 0.087 0.087 0.087
U055 Cumene Cumene	98-82-8	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST	U062 Diallate Diallate	2303-16-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U056 Cyclohexane Cyclohexane	110-82-7	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST	U063 Dibenz(a,h)anthracene Dibenz(a,h)anthracene	53-70-3	0.055	8.2
U057 Cyclohexanone Cyclohexanone Cyclohexanone; alternate(6) standard for nonwastewaters only	108-94-1 108-94-1	0.36 NA	CMBST 0.75 mg/l TCLP	U064 Dibenz(a,i)pyrene Dibenz(a,i)pyrene	189-55-9	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U058 Cyclophosphamide Cyclophosphamide	50-18-0	CARBN; or INCIN	CMBST	U066 1,2-Dibromo-3-chloro-propane 1,2-Dibromo-3-chloro-chloropropane	96-12-8	0.11	15
U059 Daunomycin Daunomycin	20830-81-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	U067 Ethylene dibromide (1,2-Dibromoethane) Ethylene dibromide (1,2- 106-93-4 Dibromoethane)	0.028	0.028	15
U060				U068 Dibromoethane Dibromomethane)	74-95-3	0.11	15
				U069 Di-n-butyl phthalate Di-n-butyl phthalate	84-74-2	0.057	28

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

U070	o-Dichlorobenzene o-Dichlorobenzene	95-50-1	0.088	6.0	
U071	m-Dichlorobenzend m-Dichlorobenzend	541-73-1	0.036	6.0	
U072	p-Dichlorobenzend p-Dichlorobenzene	106-46-7	0.090	6.0	
U073	3,3'-Dichlorobenzidine 3,3'-Dichlorobenzidine	91-94-1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
U074	1,4-Dichloro-2-butene cis-1,4-Dichloro-2- butene	1476-11-5	(WETOX or CARBN; or INCIN	INCIN	
	trans-1,4-Dichloro-2- butene	764-41-0	(WETOX or CHOXD) fb INCIN	INCIN	
U075	Dichlorodifluoromethane Dichlorodifluoromethane	75-71-8	0.23	7.2	
U076	1,1-Dichloroethane 1,1-Dichloroethane	75-34-3	0.059	6.0	
U077	1,2-Dichloroethane 1,2-Dichloroethane	107-06-2	0.21	6.0	
U078	1,1-Dichloroethylene 1,1-Dichloroethylene	75-35-4	0.025	6.0	
U079	1,2-Dichloroethylene trans-1,2-Dichloro- ethylene	156-60-5	0.054	30	

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

U080	Methylene chloride Methylene chloride	75-09-2	0.089	30	
U081	2,4-Dichlorophenol 2,4-Dichlorophenol	120-83-2	0.044	14	
U082	2,6-Dichlorophenal 2,6-Dichlorophenol	87-65-0	0.044	14	
U083	1,2-Dichloropropane 1,2-Dichloropropane	78-87-5	0.85	18	
U084	1,3-Dichloropropylene cis-1,3-Dichloro- propylene	10061-01-5	0.036	18	
	trans-1,3-Dichlorol propylene	10061-02-6	0.036	18	
U085	1,2:3,4-Diepoxybutane 1,2:3,4-Diepoxybutane	1464-53-5	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST	
U086	N,N'-Distiethylhydrazine N,N'-Diethylhydrazine	1615-80-1	CHOXD; CHRED; CARBN; BIODG; or INCIN	CHOXD; CHRED; or CMBST	
U087	o,o-Diethyl S-methyldithiophosphate o,o-Diethyl S-methyl- dithiophosphate	3288-58-2	CARBAN; or INCIN	CMBST	
U088	Diethyl phthalate Diethyl phthalate	84-66-2	0.20	28	
U089	Diethyl stilbestrol Diethyl stilbestrol	56-53-1	(WETOX or	CMBST	



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U090 Dihydrosafrole Dihydrosafrole	94-58-6	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST	Dimethylcarbamoyl chloride	79-44-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U091 3,3'-Dimethoxybenzidine 3,3'-Dimethoxybenzidine	119-90-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	U098 1,1-Dimethylhydrazine 1,1-Dimethylhydrazine	57-14-7	CHOXD; CHRED; CARBN; BIODG; or INCIN	CHOXD; CHRED; or CMBST
U092 Dimethylamine Dimethylamine	124-40-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	U099 1,2-Dimethylhydrazine 1,2-Dimethylhydrazine	540-73-8	CHOXD; CHRED; CARBN; BIODG; or INCIN	CHOXD; CHRED; or CMBST
U093 p-Dimethylaminoazobenzene p-Dimethyl- aminoazobenzene	60-11-7	0.13	INCIN	U101 2,4-Dimethylphenol 2,4-Dimethylphenol	105-67-9	0.036	14
U094 7,12-Dimethylbenz(a) anthracene 7,12-Dimethylbenz(a)- anthracene	57-97-6	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST	U102 Dimethyl phthalate Dimethyl phthalate	131-11-3	0.047	28
U095 3,3'-Dimethylbenzidine 3,3'-Dimethylbenzidine	119-93-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	U103 Dimethyl sulfate Dimethyl sulfate	77-78-1	CHOXD; CHRED; CARBN; BIODG; or INCIN	CHOXD; CHRED; or CMBST
U096 alpha, alpha-Dimethyl benzyl hydroperoxide alpha, alpha-Dimethyl benzyl hydroperoxide	80-15-9	CHOXD; CHRED; CARBN; BIODG; or INCIN	CHOXD; CHRED; or CMBST	U105 2,4-Dinitrotoluene 2,4-Dinitrotoluene	121-14-2	0.32	140
U097				U106 2,6-Dinitrotoluene 2,6-Dinitrotoluene	606-20-2	0.55	28
				U107 Di-n-octyl phthalate Di-n-octyl phthalate	117-84-0	0.017	28
				U108 1,4-Dioxane 1,4-Dioxane	123-91-1	(WETOX or CHOXD) fb	CMBST

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1,4-Dioxane; alternate (6) standard for nonwastewaters only	123-91-1	CARB; or INCIN NA	170
U109 1,2-Diphenylhydrazine	122-66-7	CHOXD; CHRED; CARBN; BIODG; or INCIN	CHOXD; CHRED; or CMBST
1,2-Diphenylhydrazine	122-66-7	NA	NA
1,2-Diphenylhydrazine; alternate(6) standard for wastewaters only	122-66-7	0.087	0.087
U110 Dipropylamine	142-84-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U111 Di-n-propylnitrosamine	621-64-7	0.40	14
U112 Ethyl acetate	141-78-8	0.34	33
U113 Ethyl acrylate	140-88-8	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U114 Ethylenebisdithiocarb- amic acid salts and esters	111-54-6	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U115 Ethylene oxide	75-21-8	(WETOX or CHOXD) fb CARBN; or INCIN	CHOXD; or

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Ethylene oxide; alternate(6) standard for wastewaters only	75-21-8	CHOXD) fb CARBN; or INCIN 0.12	INCIN
U116 Ethylene thiourea	96-45-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U117 Ethyl ether	60-29-7	0.12	160
U118 Ethyl methacrylate	97-63-2	0.14	160
U119 Ethyl methane sulfonate	52-50-0	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U120 Fluoranthene	206-44-0	0.068	3.4
U121 Trichloromonofluoromethane	75-69-4	0.020	.30
U122 Formaldehyde	50-00-0	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U123 Formic acid	64-19-6	(WETOX or	CMBST

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U124 Furan		CHOXD) fb CARBN; or INCIN			
U125 Furfural	110-00-9	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST		
U126 Glycidylaldehyde	98-01-1	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST		
U127 Hexachlorobenzene	765-34-4	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST		
U128 Hexachlorobutadiene	118-74-1	0.055	10		
U129 Lindane	87-68-3	0.055	5.6		
U130 Hexachlorocyclopentadiene	319-84-6	0.00014	0.066		
U131 Hexachloroethane	319-85-7	0.00014	0.066		
U132 Hexachloroethane	319-86-8	0.023	0.066		
U133 Hexachloroethane	58-89-9	0.0017	0.066		
U134 Hexachlorocyclopentadiene	77-47-4	0.057	2.4		
U135 Hexachloroethane	67-72-1	0.055	30		

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U132 Hexachlorophene	70-30-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN		
U133 Hydrazine	302-01-2	CHOXD; CHRED; CARBN; BIODG; or INCIN	CHOXD; CHRED; or CMBST		
U134 Hydrogen fluoride	16964-48-8	35	ADGAS fb NEUTR; or NEUTR		
U135 Hydrogen sulfide	7783-06-4	CHOXD; CHRED; or INCIN	CHOXD; CHRED; or INCIN		
U136 Cacodylic acid	7440-38-2	1.4	5.0 mg/l TCLP		
U137 Indeno(1,2,3-cd)pyrene	193-39-5	0.0055	3.4		
U138 Iodomethane	74-88-4	0.19	65		
U139 Isobutyl alcohol	78-83-1	5.6	170		
U140 Isosafrole	120-58-1	0.081	2.6		
U141 Kepone	143-50-8	0.0011	0.13		



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U143 Lasiocarpine	303-34-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	U151 (mercury) nonwastewaters that contain greater than or equal to 260 mg/kg total mercury. Mercury	7439-97-6	NA	RMERC
U144 Lead acetate	7439-92-1	0.69	0.37 mg/l TCLP	U151 (mercury) nonwastewaters that contain less than 260 mg/kg total mercury and that are residues from RMERC only. Mercury	7439-97-6	NA	0.20 mg/l TCLP
U145 Lead phosphate	7439-92-1	0.69	0.37 mg/l TCLP	U151 (mercury) nonwastewaters that contain less than 260 mg/kg total mercury and that are not residues from RMERC only. Mercury	7439-97-6	NA	0.025 mg/l TCLP
U146 Lead subacetate	7439-92-1	0.69	0.37 mg/l TCLP	U151 (mercury) nonwastewaters that contain less than 260 mg/kg total mercury and that are not residues from RMERC only. Mercury	7439-97-6	0.15	NA
U147 Maleic anhydride	108-31-6	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST	U151 Element Mercury Contaminated with Radioactive Materials Mercury	7439-97-6	NA	AMLGM
U148 Maleic hydrazide	123-33-1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	U152 Methacrylonitrile Methacrylonitrile	126-98-7	0.24	84
U149 Malononitrile	109-77-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	U153 Methanethiol Methanethiol	74-93-1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U150 Melphalan	148-82-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	U154 Methanol Methanol	67-56-1	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U151 Methapyrilene				Methanol; alternate(6) set of standards for both wastewaters and nonwastewaters	67-56-1	5.6	0.75 mg/l TCLP

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Methapyrilene	91-80-5	0.081	1.5
U156			
Methyl chlorocarbonate	79-22-1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U157			
3-Methylcholanthrene	56-49-5	0.0055	15
U158			
4,4'-Methylene bis(2-chloroaniline)			
4,4'-Methylene bis(2-chloroaniline)	101-14-4	0.50	30
U159			
Methyl ethyl ketone	78-93-3	0.28	36
U160			
Methyl ethyl ketone peroxide			
Methyl ethyl ketone	138-23-4	CHOXD; CHRED; CARBN; BIODG; or INCIN	CHOXD; CHRED; or CMBST
U161			
Methyl isobutyl ketone			
Methyl isobutyl ketone	108-10-1	0.14	33
U162			
Methyl methacrylate	80-62-6	0.14	160
U163			
N-Methyl-N'-nitro-N-nitrosoquianidine			
N-Methyl-N'-nitro-N-nitrosoquianidine	70-25-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U164			
Methylthiouracil	56-04-2	(WETOX or CHOXD) fb CARBN; or	INCIN
U165			
Naphthalene	91-20-3	0.059	5.6
U166			
1,4-Naphthoquinone			
1,4-Naphthoquinone	130-15-4	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U167			
1-Naphthylamine			
1-Naphthylamine	134-32-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U168			
2-Naphthylamine			
2-Naphthylamine	91-59-8	0.52	INCIN
U169			
Nitrobenzene			
Nitrobenzene	98-95-3	0.068	14
U170			
p-Nitrophenol			
p-Nitrophenol	100-02-7	0.12	29
U171			
2-Nitropropane			
2-Nitropropane	79-46-9	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U172			
N-Nitrosodi-n-butylamine			
N-Nitrosodi-n-butylamine	924-16-3	0.40	17
U173			
N-Nitrosodiethanolamine			
N-Nitrosodiethanolamine	1116-54-7	(WETOX or CHOXD) fb	INCIN

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Pentachlorobenzene	608-93-5	0.055	10
U184 Pentachlorobenzene	76-01-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
Pentachloroethane; alternate(6) standards for both wastewaters and nonwastewaters	76-01-7	0.055	6.0
U185 Pentachloronitrobenzene	82-68-8	0.055	4.8
U186 1,3-Pentadiene	504-60-9	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U187 Phenacetin	62-44-2	0.081	16
U188 Phenol	108-95-2	0.039	6.2
U189 Phosphorus sulfide	1314-80-3	CHOXD; CHRED; or INCIN	CHOXD; CHRED; or INCIN
U190 Phthalic anhydride	100-21-0	0.055	28
U191 2-Picoline	85-44-9	0.055	28

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U174 N-Nitrosodiethylamine	55-18-5	CARBN; or INCIN	28
U176 N-Nitroso-N-ethylurea	759-73-9	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U177 N-Nitroso-N-methylurea	684-93-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U178 N-Nitroso-N-methylurethane	615-53-2	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U179 N-Nitrosopiperidine	100-75-4	0.013	35
U180 N-Nitrosopyrrolidine	930-55-2	0.013	35
U181 5-Nitro-O-toluidine	99-55-8	0.32	28
U182 Paraldehyde	123-63-7	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST



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2-Picoline	109-06-8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN				
U192 Pronamide Pronamide	23950-58-5	0.093	1.5				
U193 1,3-Propane sultone 1,3-Propane sultone	1120-71-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN				
U194 n-Propylamine n-Propylamine	107-10-8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN				
U196 Pyridine Pyridine	110-86-1	0.014	16				
U197 p-Benzoquinone p-Benzoquinone	106-51-4	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST				
U200 Reserpine Reserpine	50-55-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN				
U201 Resorcinol Resorcinol	108-46-3	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST				
U202 Saccharin and salts Saccharin	81-07-2	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN				
U203 Safole Safole	94-59-7	0.081	22				
U204 Selenium dioxide Selenium	7782-49-2	0.82	0.16 mg/l TCLP				
U205 Selenium sulfide Selenium	7782-49-2	0.82	0.16 mg/l TCLP				
U206 Streptozotocin Streptozotocin	18883-66-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN				
U207 1,2,4,5-Tetrachlorobenzene 1,2,4,5-Tetrachloro- benzene	95-94-3	0.055	14				
U208 1,1,1,2-Tetrachloroethane 1,1,1,2-Tetrachloro- ethane	630-20-6	0.057	6.0				
U209 1,1,2,2-Tetrachloroethane 1,1,2,2-Tetrachloro- ethane	79-34-5	0.057	6.0				
U210 Tetrachloroethylene Tetrachloroethylene	127-18-4	0.056	6.0				
U211 Carbon tetrachloride Carbon tetrachloride	56-23-5	0.057	6.0				

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U213 Tetrahydrofuran	109-99-9	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST		
U214 Thallium (I) acetate Thallium (measured in wastewaters only)	7440-28-0	1.4	RTHRM; or STABL		
U215 Thallium (I) carbonate Thallium (measured in wastewaters only)	7440-28-0	1.4	RTHRM; or STABL		
U216 Thallium (I) chloride Thallium (measured in wastewaters only)	7440-28-0	1.4	RTHRM; or STABL		
U217 Thallium (I) nitrate Thallium (measured in wastewaters only)	7440-28-0	1.4	RTHRM; or STABL		
U218 Thioacetamide Thioacetamide	62-55-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN		
U219 Thiourea Thiourea	62-56-6	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN		
U220 Toluene Toluene	108-88-3	0.080	10		
U221 Toluenediamine Toluenediamine	25376-45-8	CARBN; or	CMBST		
U222 o-Toluidine hydrochloride o-Toluidine hydro- chloride	636-21-5	(WETOX or CHOXD) fb CARBN; or INCIN			INCIN
U223 Toluene diisocyanate Toluene diisocyanate	26471-62-5	CARBN; or INCIN			CMBST
U225 Bromoform (Tribromomethane) Bromoform (Tribromo- methane)	75-25-2	0.63			15
U226 1,1,1-Trichloroethane 1,1,1-Trichloroethane	71-55-6	0.054			6.0
U227 1,1,2-Trichloroethane 1,1,2-Trichloroethane	79-00-5	0.054			6.0
U228 Trichloroethylene Trichloroethylene	79-01-6	0.054			6.0
U234 1,3,5-Trinitrobenzene 1,3,5-Trinitrobenzene	99-35-4	(WETOX or CHOXD) fb CARBN; or INCIN			INCIN
U235 tris-(2,3-Dibromopropyl)-phosphate tris-(2,3-Dibromo- propyl)-phosphate	126-72-7	0.11			0.10
U236 Trypan Blue Trypan Blue	72-57-1	(WETOX or CHOXD) fb CARBN; or INCIN			INCIN

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U237	INCIN				
Uracil mustard	66-75-1	(WETOX or CHOXD) fb	INCIN		
U238					
Urethane (Ethyl carbamate)	51-79-6	(WETOX or CHOXD) fb	INCIN		
Urethane (Ethyl carbamate)		CARB; or			
U239					
Xylenes	1330-20-7	0.32	30		
Xylenes-mixed isomers (sum of o-,m-,and p-xylene concentrations)					
U240					
2,4-D (2,4-Dichlorophenoxyacetic acid)	94-75-7	0.72	10		
2,4-D (2,4-Dichlorophenoxyacetic acid)	NA	(WETOX or CARBN; or CHOXD)fb	INCIN		
2,4-D (2,4-Dichlorophenoxyacetic acid) salts and esters		INCIN			
U243					
Hexachloropropylene	1888-71-7	0.035	30		
Hexachloropropylene					
U244					
Thiram	137-26-8	(WETOX or CHOXD) fb	INCIN		
Thiram		CARB; or			
U246					
Cyanogen bromide	506-68-3	CHOXD; WETOX; or INCIN	CHOXD; WETOX; or INCIN		
U247					

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Methoxychlor	72-43-5	0.25	0.18		
Methoxychlor					
U248					
Warfarin, & salts, when present at concentrations of 0.3% or less	81-81-2	(WETOX or CHOXD) fb	CMBST		
Warfarin		CARB; or			
		INCIN			
U249					
Zinc phosphide, Zn[3]P[2], when present at concentrations of 10% or less	1314-84-7	CHOXD; CHRED; or INCIN	CHOXD; CHRED; or INCIN		
Zinc Phosphide					
U328					
O-Toluidine	95-53-4	INCIN; or	INCIN; or		
O-Toluidine		CHOXD fb	Thermal		
		(BIODG or CARBN); or	Destruction		
		BIODG fb CARBN			
U353					
p-Toluidine	1-6-49-0	INCIN; or	INCIN; or		
p-Toluidine		CHOXD fb	Thermal		
		(BIODG or CARBN); or	Destruction		
		BIODG fb CARBN			
U359					
2-Ethoxyethanol	110-80-5	INCIN; or	CMBST		
2-Ethoxyethanol		CHOXD fb			
		(BIODG or CARBN); or			
		BIODG fb CARBN			

Notes:

- 1 The waste descriptions provided in this table do not replace waste descriptions in 35 Ill. Adm. Code 721. Descriptions of Treatment or Regulatory Subcategories are provided, as needed, to distinguish between applicability of different standards.
- 2 CAS means Chemical Abstract Services. When the waste code or regulated constituents are described as a combination of a chemical with its salts



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- or esters, the CAS number is given for the parent compound only.
- 3 Concentration standards for wastewaters are expressed in mg/l are based on analysis of composite samples.
- 4 All treatment standards expressed as a Technology Code or combination of Technology Codes are explained in detail in 35 Ill. Adm. Code 728.140(c), "Technology Codes and Description of Technology-Based Standards". "fb" inserted between waste codes denotes "followed by", so that the first-listed treatment is followed by the second-listed treatment. ";" separates alternative treatment schemes.
- 5 Except for Metals (EP or TCLP) and Cyanides (Total and Amenable) the nonwastewater treatment standards expressed as a concentration were established, in part, based upon incineration in units operated in accordance with the technical requirements of 35 Ill. Adm. Code 724. Subpart O or 35 Ill. Adm. Code 725. Subpart O, or based upon combustion in fuel substitution units operating in accordance with applicable technical requirements. A facility may comply with these treatment standards according to provisions in 35 Ill. Adm. Code 728.140(d). All concentration standards for nonwastewaters are based on analysis of grab samples.
- 6 Where an alternate treatment standard or set of alternate standards has been indicated, a facility may comply with this alternate standard, but only for the Treatment or Regulatory Subcategory or physical form (i.e., wastewater and/or nonwastewater) specified for that alternate standard.
- 7 Both Cyanides (Total) and Cyanides (Amenable) for nonwastewaters are to be analyzed using Method 9010 or 9012, found in "Test Methods for Evaluating Solid Waste, Physical or Chemical Methods", USEPA 8-9-87-BPA Publication SW-846, as incorporated by reference in 35 Ill. Adm. Code 720.111, with a sample size of 10 grams and a distillation time of one hour and 15 minutes.

NA means not applicable.

(Source: Amended at 20 Ill. Reg. 11100, effective 11100)

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## Section 728. TABLE U Universal Treatment Standards (UTS)

Regulated Constituent- Common Name	CAS(1) No.	Wastewater Standard Concentration (in mg/l(2))	Nonwastewater Standard Concentration (in mg/kg(3)) unless noted as "mg/l TCLP"
Acenaphthylene	208-96-8	0.059	3.4
Acenaphthene	83-32-9	0.059	3.4
Acetone	67-64-1	0.28	160
Acetonitrile	75-05-8	5.6	1.8
Acetophenone	96-86-2	0.010	9.7
2-Acetylaminofluorene	53-96-3	0.059	140
Acrolein	107-02-8	0.29	NA
Acrylamide	79-06-1	19	23
Acrylonitrile	107-13-1	0.24	84
Aldrin	309-00-2	0.021	0.066
4-Aminobiphenyl	92-67-1	0.13	NA
Aniline	62-53-3	0.81	14
Anthracene	120-12-7	0.059	3.4
Aramite	140-57-8	0.36	NA
alpha-BHC	319-84-6	0.00014	0.066
beta-BHC	319-85-7	0.00014	0.066
bis(2-Chloro-ethoxy)methane	111-91-1	0.036	7.2
bis(2-Chloroethyl) ether	111-44-4	0.033	6.0
Chloroform	67-66-3	0.046	6.0

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bis(2-Chloro-isopropyl)ether	108-60-1 39630-32-9	0.055	7.2
p-Chloro-m-cresol	59-50-7	0.018	14
2-Chloroethyl vinyl ether	110-75-8	0.062	NA
Chloromethane (Methyl chloride)	74-87-3	0.19	30
2-Chloronaphthalene	91-58-7	0.055	5.6
2-Chlorophenol	95-57-8	0.044	5.7
3-Chloropropylene	107-05-1	0.036	30
Chrysene	218-01-9	0.059	3.4
o-Cresol	95-48-7	0.11	5.6
m-Cresol (difficult to distinguish from p-cresol)	108-39-4	0.77	5.6
p-Cresol (difficult to distinguish from m-cresol)	106-44-5	0.77	5.6
Cyclohexanone	108-94-1	0.36	0.75mg/l TCLP
1,2-Dibromo-3-chloro-propane	96-12-8	0.11	15
Ethylene dibromide 1,2-Dibromoethane)	106-93-4	0.028	15
Dibromomethane	74-95-3	0.11	15
2,4-D (2,4-Dichloro-phenoxyacetic acid)	94-75-7	0.72	10
p,p'-DDD	53-19-0	0.023	0.087
p,p'-DDD	72-54-8	0.023	0.087
o,p'-DDE	3424-82-6	0.031	0.087

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p,p'-DDE	72-55-9	0.031	0.087
o,p'-DDT	789-02-6	0.0039	0.087
p,p'-DDT	50-29-3	0.0039	0.087
Dibenz(a,h)anthracene	53-70-3	0.055	8.2
Dibenz(a,e)pyrene	192-65-4	0.061	NA
m-Dichlorobenzene	541-73-1	0.036	6.0
o-Dichlorobenzene	95-50-91	0.088	6.0
p-Dichlorobenzene	106-46-7	0.090	6.0
Dichlorodifluoromethane	75-71-8	0.23	7.2
1,1-Dichloroethane	75-34-3	0.059	6.0
1,2-Dichloroethane	107-06-2	0.21	6.0
1,1-Dichloroethylene	75-35-4	0.025	6.0
trans-1,2-Dichloroethylene	156-60-5	0.054	30
2,4-Dichlorophenol	120-83-2	0.044	14
2,6-Dichlorophenol	87-65-0	0.044	14
1,2-Dichloropropane	78-87-5	0.85	18
cis-1,3-Dichloro-propylene	10061-01-5	0.036	18
trans-1,3-Dichloro-propylene	10061-02-6	0.036	18
Dieldrin	60-57-1	0.017	0.13
Diethyl phthalate	84-66-2	0.20	28
2,4-Dimethyl phenol	105-67-9	0.036	14
Dimethyl phthalate	131-11-3	0.047	28
Di-n-butyl phthalate	84-74-2	0.057	28

POLLUTION CONTROL BOARD  
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1,4-Dinitrobenzene	100-25-4	0.32	2.3
4,6-Dinitro-o-cresol	534-52-1	0.28	160
2,4-Dinitrophenol	51-28-5	0.12	160
2,4-Dinitrotoluene	121-14-2	0.32	140
2,6-Dinitrotoluene	606-20-2	0.55	28
Di-n-octyl phthalate	117-84-0	0.017	28
p-Dimethylaminoazo-benzene	60-11-7	0.13	NA
Di-n-propylnitrosamine	621-64-7	0.40	14
1,4-Dioxane	123-91-1	NA	170
Diphenylamine (difficult to distinguish from diphenylnitrosamine)	122-39-4	0.92	13
Diphenylnitrosamine (difficult to distinguish from diphenylamine)	86-30-6	0.92	13
1,2-Diphenylhydrazine	122-66-7	0.087	NA
Disulfoton	298-04-4	0.017	6.2
Endosulfan I	939-98-8	0.023	0.066
Endosulfan II	33213-6-5	0.029	0.13
Endosulfan Sulfate	1-31-07-8	0.029	0.13
Endrin	72-20-8	0.0028	0.13
Endrin aldehyde	7421-93-4	0.025	0.13
Ethyl acetate	141-78-6	0.34	33
Ethyl cyanide (Propanenitrile)	107-12-0	0.24	360
Ethyl benzene	100-41-4	0.057	10

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Ethyl ether	60-29-7	0.12	160
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28
Ethyl methacrylate	97-63-2	0.14	160
Ethylene oxide	75-21-8	0.12	NA
Famphur	52-85-7	0.017	15
Fluoranthene	206-44-0	0.068	3.4
Fluorene	86-73-7	0.059	3.4
Heptachlor	76-44-8	0.0012	0.066
Heptachlor epoxide	1024-57-3	0.016	0.066
Hexachlorobenzene	118-74-1	0.055	10
Hexachlorobutadiene	87-68-3	0.055	5.6
Hexachloro-cyclopentadiene	77-47-4	0.057	2.4
HxCDDs (All Hexachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
HxCDFs (All Hexachloro-dibenzofurans)	NA	0.000063	0.001
Hexachloroethane	67-72-1	0.055	30
Hexachloropropylene	1888-71-7	0.035	30
Indeno (1,2,3-c,d) pyrene	193-39-5	0.0055	3.4
Iodomethane	74-88-4	0.19	65
Isobutyl alcohol	78-83-1	5.6	170
Isodrin	465-73-6	0.021	0.066
Isosafrole	120-58-1	0.081	2.6
Kepon	143-50-8	0.0011	0.13



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Methacrylonitrile	126-98-7	0.24	84	N-Nitrosomethylethyl-amine	10595-95-6	0.40	2.3
Methanol	67-56-1	5.6	0.75 mg/l TCLP	N-Nitrosomorpholine	59-89-2	0.40	2.3
Methapyrilene	91-80-5	0.081	1.5	N-Nitrosopiperidine	100-75-4	0.013	35
Methoxychlor	72-43-5	0.25	0.18	N-Nitrosopyrrolidine	930-55-2	0.013	35
3-Methylcholanthrene	56-49-5	0.0055	15	Parathion	56-38-2	0.014	4.6
4,4-Methylene bis(2-chloroaniline)	101-14-4	0.50	30	Total PCBs (sum of all PCB isomers, or all Aroclors)	1336-36-3	0.10	10
Methylene chloride	75-09-2	0.089	30	Pentachlorobenzene	608-93-5	0.055	10
Methyl ethyl ketone	78-93-3	0.28	36	PeCDDs (All Pentachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
Methyl isobutyl ketone	108-10-1	0.14	33	PECDFs (All Pentachloro-dibenzofurans)	NA	0.000035	0.001
Methyl methacrylate	80-62-6	0.14	160	Pentachloroethane	76-01-7	0.055	6.0
Methyl methansulfonate	66-27-3	0.018	NA	Pentachloronitrobenzene	82-68-8	0.055	4.8
Methyl parathion	298-00-0	0.014	4.6	Pentachlorophenol	87-86-5	0.089	7.4
Naphthalene	91-20-3	0.059	5.6	Phenacetin	62-44-2	0.081	16
2-Naphthylamine	91-59-8	0.52	NA	Phenanthrene	85-01-8	0.059	5.6
o-Nitroaniline	88-74-4	0.27	14	Phenol	108-95-2	0.039	6.2
p-Nitroaniline	100-01-6	0.028	28	Phorate	298-02-2	0.021	4.6
Nitrobenzene	98-95-3	0.068	14	Phthalic acid	100-21-0	0.055	28
5-Nitro-o-toluidine	99-55-8	0.32	28	Phthalic anhydride	85-44-9	0.055	28
o-Nitrophenol	88-75-5	0.028	13	Pronamide	23950-58-5	0.093	1.5
p-Nitrophenol	100-02-7	0.12	29	Pyrene	129-00-0	0.067	8.2
N-Nitrosodiethylamine	55-18-5	0.40	28	Pyridine	110-86-1	0.014	16
N-Nitrosodimethylamine	62-75-9	0.40	2.3	Safrole	94-59-7	0.081	22
N-Nitroso-di-n-butyl-amine	924-16-3	0.40	14				

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Silvex (2,4,5-TP)	93-72-1	0.72	7.9
2,4,5-T (2,4,5-Trichloro- phenoxyacetic acid)	93-76-5	0.72	7.9
1,2,4,5-Tetrachloro- benzene	95-94-3	0.055	14
TCDDs (All Tetrachloro- dibenzo-p-dioxins)	NA	0.000063	0.001
TCDFs (All Tetrachloro- dibenzofurans)	NA	0.000063	0.001
1,1,1,2-Tetrachloro- ethane	630-20-6	0.057	6.0
1,1,2,2-Tetrachloro- ethane	79-34-6	0.057	6.0
Tetrachloroethylene	127-18-4	0.056	6.0
2,3,4,6-Tetrachloro- phenol	58-90-2	0.030	7.4
Toluene	108-88-3	0.080	10
Toxaphene	8001-35-2	0.0095	2.6
Bromoform (Tribromo- methane)	75-25-2	0.63	15
1,2,4-Trichlorobenzene	120-82-1	0.055	19
1,1,1-Trichloroethane	71-55-6	0.054	6.0
1,1,2-Trichloroethane	79-00-5	0.054	6.0
Trichloroethylene	79-01-6	0.054	6.0
Trichloromonofluoro- methane	75-69-4	0.020	30
2,4,5-Trichlorophenol	95-95-4	0.18	7.4
2,4,6-Trichlorophenol	88-06-2	0.035	7.4

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1,2,3-Trichloropropane	96-18-4	0.85	30
1,1,2-Trichloro-1,2,2- trifluoroethane	76-13-1	0.057	30
tris-(2,3-Dibromopropyl) phosphate	126-72-7	0.11	0.10
Vinyl chloride	75-01-4	0.27	6.0
Xylenes-mixed isomers sum of o-, m-, and p- xylene concentrations)	1330-20-7	0.32	30
Antimony	7440-36-0	1.9	2.1 mg/l TCLP
Arsenic	7440-38-2	1.4	5.0 mg/l TCLP
Barium	7440-39-3	1.2	7.6 mg/l TCLP
Beryllium	7440-41-7	0.82	0.014 mg/l TCLP
Cadmium	7440-43-9	0.69	0.19 mg/l TCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total)(4)	57-12-5	1.2	590
Cyanides (Amenable)(4)	57-12-5	0.86	30
Fluoride	16964-48-8	35	NA
Lead	7439-92-1	0.69	0.37 mg/l TCLP
Mercury-Nonwastewater from Retort	7439-97-6	NA	0.20 mg/l TCLP
Mercury-All Others	7439-97-6	0.15	0.025 mg/l TCLP
Nickel	7440-02-0	3.98	5.0 mg/l TCLP
Selenium	7782-49-2	0.82	0.16 mg/l TCLP
Silver	7440-22-4	0.43	0.30 mg/l TCLP
Sulfide	8496-25-8	14	NA
Thallium	7440-28-0	1.4	0.078 mg/l TCLP

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1) Heading of the Part: RCRA and UIC Permit Programs

2) Code citation: 35 Ill. Adm. Code 702

3) Section numbers: 702.110  
Adopted action:  
Amended

4) Statutory authority: 415 ILCS 5/22.4 and 27.

5) Effective date of amendments: August 1, 1996

6) Does this rulemaking contain an automatic repeal date?: No

7) Do these amendments contain incorporations by reference? No. Although Part 702 includes incorporations by reference, which are centrally listed at 35 Ill. Adm. Code 720.111, the present amendments do not update or amend those incorporations.

8) Date filed in Board's principal office: Order adopted June 20, 1996.

9) Notice of proposal published in Illinois Register: February 16, 1996, 20 Ill. Reg. 2924

10) Has JCAR issued a Statement of Objections to these rules? No. Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] provides that Section 5 of the Administrative Procedure Act [5 ILCS 100/5-35 and 5-40] shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

11) Differences between proposal and final version: The following tables summarize present the differences between the proposed and final versions of the amendments:

Revisions to the Text of the Proposed Amendments

Section	Correction
702.110 "CWA"	Commas added and deleted; corrected citation to "P.L. 95-217"
702.110 "SDWA"	Commas added and deleted
702.110 "wastewater treatment unit"	Subsection repunctuated
702.110 "well"	Quotation mark added

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Vanadium(5) 7440-62-2 4.3 0.23 mg/l TCLP

Zinc(5) 7440-66-6 2.61 5.3 mg/l TCLP

1 CAS means Chemical Abstract Services. When the waste code or regulated constituents are described as a combination of a chemical with its salts or esters, the CAS number is given for the parent compound only.

2 Concentration standards for wastewaters are expressed in mg/l are based on analysis of composite samples.

3 Except for metals (EP or TCLP) and cyanides (total and amenable), the nonwastewater treatment standards expressed as a concentration were established, in part, based on incineration in units operated in accordance with the technical requirements of 35 Ill. Adm. Code 724.Subpart O or 35 Ill. Adm. Code 725.Subpart O or on combustion in fuel substitution units operating in accordance with applicable technical requirements. A facility may comply with these treatment standards according to provisions in 40 CFR 268.40(d). All concentration standards for nonwastewaters are based on analysis of grab samples.

4 Both Cyanides (Total) and Cyanides (Amenable) for nonwastewaters are to be analyzed using Method 9010 or 9012, found in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", USEPA 8-1-81-BPA Publication SW-846, incorporated by reference in 35 Ill. Adm. Code 720.111, with a sample size of 10 grams and a distillation time of one hour and 15 minutes.

5 Vanadium and zinc are not "underlying hazardous constituents" in characteristic wastes, according to the definition at Section 728.102(i).

Note: NA means not applicable.

(Source: 0 Amended at 20 Ill. Reg. 11100, effective



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12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR? Section 22.4(a) of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR. Nevertheless, JCAR did review the regulations and submitted a number of suggested corrections for Board consideration. The Board reviewed the suggestions and accepted most of them.

13) Will these amendments replace an emergency amendment currently in effect? No

14) Are there any other amendments pending on this Part? No

15) Summary and purpose of amendments:

A more detailed description is contained in the Board's opinion of June 20, 1996 in R95-20, which Opinion is available from the address below. Section 22.4 of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

The larger R95-20 proceeding, of which the amendments to this Part are one segment, updates 35 Ill. Adm. Code 702, 703, 720, 721, 722, 724, 725, 726, and 728 of the Board's RCRA Subtitle C rules and adds 35 Ill. Adm. Code 733 to correspond with amendments adopted by U.S. EPA that appeared in the Federal Register during the period January 1 through June 30, 1995, with the addition of actions dated July 7, September 29, and November 13, 1995 and June 5, 1996. During the routine update period of January 1 through June 30, 1995, USEPA undertook the following actions:

Federal ActionSummary

Jan. 3, 1995,  
60 Fed. Reg. 242

Technical Corrections to Phase II LDRs

Jan. 13, 1995,  
60 Fed. Reg. 3089

Update to testing and monitoring methods

60 Fed. Reg. 6666

Response to City of Chicago v. Environmental Defense Fund decision

Feb. 7, 1995,  
60 Fed. Reg. 7366

Determination that additional regulation is necessary for cement kiln dust

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Feb. 9, 1995,  
60 Fed. Reg. 7824

New hazardous waste listings for six carbamate production wastes; addition of 58 commercial chemical product wastes; exemption of certain biological treatment sludges

Apr. 4, 1995,  
60 Fed. Reg. 17001

Update to testing and monitoring methods

Apr. 4, 1995,  
60 Fed. Reg. 17160

Update to CWA analytical methods

Apr. 17, 1995,  
60 Fed. Reg. 19165

Corrections to carbamate waste listings

May 11, 1995,  
60 Fed. Reg. 25492

Universal Waste Rule

May 12, 1995,  
60 Fed. Reg. 25619

Correction to carbamate waste listings

May 19, 1995,  
60 Fed. Reg. 26828

Postponement of effective date for tank, container, and surface impoundment air emissions rules

June 13, 1995,  
60 Fed. Reg. 31114

Delisting of hazardous waste generated in Illinois by a Pennsylvania company

June 29, 1995,  
60 Fed. Reg. 33912

Deletion of obsolete, redundant, and outdated RCRA rules

In addition to these principal amendments that occurred during the normal docket update period, the Board has included four additional, later actions that are corrections or relaxations of prior amendments in the preceding RCRA Subtitle C update docket, R95-4/R95-6:

July 7, 1995,  
60 Fed. Reg. 35452

Correction to the Subpart CC organic material emissions standards for tanks, containers and surface impoundments

September 29, 1995,  
60 Fed. Reg. 50426

Stay of Subpart CC rules as they apply to tanks, containers, and surface impoundments that contain wastes generated in the manufacture of organic peroxides

November 13, 1995,  
60 Fed. Reg. 56952

Stay of Subpart CC rules in their entirety until June 6, 1996

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June 5, 1996, Stay of Subpart CC rules in their entirety until  
61 Fed. Reg. 28508 October 6, 1996

Further, the Board used this opportunity to include a number of corrective amendments to the existing regulations. These corrections are more fully described below. They are derived from comments by the Joint Committee on Administrative Rules (JCAR) and the Illinois EPA (Agency).

Finally, the Board omitted from consideration two sets of federal amendments that occurred during the time-frame of this docket. First, on January 3, 1995, USEPA corrected errors and clarified language in the universal treatment standards adopted on September 19, 1994 as the Phase II LDRs. The Board did not include those amendments in this docket because we dealt with them in docket R95-4/R95-6, when adopting the Phase II rules. Second, on May 19, 1995, USEPA stayed the implementation of 40 CFR 264, subpart CC and 265, subpart CC (Subpart CC) regulations governing organic material emissions from tanks, containers, and surface impoundments. USEPA delayed the effective date by six months, until December 6, 1995. This delay was similarly included with the R95-4/R95-6 amendments, so there was no need for the Board to take action at this time. Further, the subsequent federal stay granted on November 13, 1995 and extended on June 5, 1996 made that initial stay of May 19 obsolete.

Specifically, the segment of the amendments involved in Part 702 are based on the June 29, 1995 federal repeal of obsolete, redundant, and out-dated rules. USEPA removed the definitions of "interim authorization", "Phase I", and "Phase II" from 40 CFR 270.2 at that time.

16) Information and questions regarding these adopted amendments shall be directed to:

Michael J. McCambridge  
Attorney  
Illinois Pollution Control Board  
100 W. Randolph, Ste. 11-500  
Chicago, IL 60601  
312/814-6924

Request copies of the Board's opinion and order of June 20, 1996 from Victoria Agyeman, at 312/814-3620.

The full text of the adopted amendments begins on the next page:

## POLLUTION CONTROL BOARD

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TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE G: WASTE DISPOSAL  
CHAPTER I: POLLUTION CONTROL BOARD  
SUBCHAPTER b: PERMITS

PART 702  
RCRA AND UIC PERMIT PROGRAMS

## SUBPART A: GENERAL PROVISIONS

Section	
702.101	Purpose, Scope, and Applicability
702.102	Purpose and Scope(Repealed)
702.103	Confidentiality of Information Submitted to the Agency or Board
702.104	References
702.105	Rulemaking
702.106	Adoption of Agency Criteria
702.107	Permit Appeals and Review of Agency Determinations
702.108	Variances and Adjusted Standards
702.109	Enforcement Actions
702.110	Definitions

## SUBPART B: PERMIT APPLICATIONS

Section	
702.120	Permit Application
702.121	Who Applies
702.122	Completeness
702.123	Information Requirements
702.124	Recordkeeping
702.125	Continuation of Expiring Permits
702.126	Signatories to Permit Applications and Reports

## SUBPART C: PERMIT CONDITIONS

Section	
702.140	Conditions Applicable to all Permits
702.141	Duty to Comply
702.142	Duty to Reapply
702.143	Need to Halt or Reduce Activity Not a Defense
702.144	Duty to Mitigate
702.145	Proper Operation and Maintenance
702.146	Permit Actions
702.147	Property Rights
702.148	Duty to Provide Information
702.149	Inspection and Entry
702.150	Monitoring and Records
702.151	Signature Requirements

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702.152 Reporting Requirements  
 702.160 Establishing Permit Conditions  
 702.161 Duration of Permits  
 702.162 Schedules of Compliance  
 702.163 Alternative Schedules of Compliance  
 702.164 Recording and Reporting

## SUBPART D: ISSUED PERMITS

Section  
 702.181 Effect of a Permit  
 702.182 Transfer  
 702.183 Modification  
 702.184 Causes for Modification  
 702.185 Facility Siting  
 702.186 Revocation  
 702.187 Minor Modifications

AUTHORITY: Implementing Sections 13 and 22.4 and authorized by Section 27 of the Environmental Protection Act (415 ILCS 5/13, 22.4 and 27).

SOURCE: Adopted in R81-32, 47 PCB 93, at 6 Ill. Reg. 12479, effective May 17, 1982; amended in R82-19, at 53 PCB 131, 7 Ill. Reg. 14352, effective May 17, 1982; amended in R84-9 at 9 Ill. Reg. 11926, effective July 24, 1985; amended in R85-23 at 10 Ill. Reg. 13274, effective July 29, 1986; amended in R86-1 at 10 Ill. Reg. 14083, effective August 12, 1986; amended in R86-28 at 11 Ill. Reg. 6131, effective March 24, 1987; amended in R87-5 at 11 Ill. Reg. 19376, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2579, effective January 15, 1988; amended in R87-29 at 12 Ill. Reg. 6673, effective March 28, 1988; amended in R87-39 at 12 Ill. Reg. 13083, effective July 29, 1988; amended in R89-1 at 13 Ill. Reg. 18452, effective November 13, 1989; amended in R89-2 at 14 Ill. Reg. 3089, effective February 20, 1990; amended in R89-9 at 14 Ill. Reg. 6273, effective April 16, 1990; amended in R92-10 at 17 Ill. Reg. 5769, effective March 26, 1993; amended in R93-16 at 18 Ill. Reg. 6918, effective April 26, 1994; amended in R94-5 at 18 Ill. Reg. 18284, effective December 20, 1994; amended in R95-6 at 19 Ill. Reg. 9913, effective AUG-6 1799995; amended in R95-20 at 20 Ill. Reg. 11210 -, effective

## SUBPART A: GENERAL PROVISIONS

## Section 702.110 Definitions

The following definitions apply to 35 Ill. Adm. Code 702, 703, 704, and 705. Terms not defined in this Section have the meaning given by the appropriate Act. When a defined term appears in a definition, the defined term is sometimes placed within quotation marks as an aid to readers. When a definition applies primarily to one or more programs, those programs appear in parentheses after the defined terms.

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"Act" or "Environment Protection Act" means the Environmental Protection Act (415 ILCS 5).

"Administrator" means the Administrator of the United States Environmental Protection Agency, or an authorized representative.

"Agency" means the Illinois Environmental Protection Agency.

"Application" means the Agency forms for applying for a permit. For RCRA, application also includes the information required by the Agency under 35 Ill. Adm. Code 703.182 through 703.212 (contents of Part B of the RCRA application).

"Appropriate act and regulations" means the Resource Conservation and Recovery Act (RCRA); Safe Drinking Water Act (SDWA); or the "Environmental Protection Act", whichever is applicable; and applicable regulations promulgated under those statutes.

"Approved program or approved State" means a State or interstate program that has been approved or authorized by EPA under 40 CFR 271 (1992) (RCRA) or Section 1422 of the SDWA (UIC).

"Aquifer" (RCRA and UIC) means a geological "formation", group of formations, or part of a formation that is capable of yielding a significant amount of water to a well or spring.

"Area of review" (UIC) means the area surrounding an injection well described according to the criteria set forth in 35 Ill. Adm. Code 730.106, or in the case of an area permit, the project area plus a circumscribing area the width of that is either 402 meters (1/4 of a mile) or a number calculated according to the criteria set forth in 35 Ill. Adm. Code 730.106.

"Board" means the Illinois Pollution Control Board.

"Closure" (RCRA) means the act of securing a "Hazardous Waste Management Facility" pursuant to the requirements of 35 Ill. Adm. Code 724.

"Component" (RCRA) means any constituent part of a unit or any group of constituent parts of a unit that are assembled to perform a specific function (e.g., a pump seal, pump, kiln liner, or kiln thermocouple).

"Contaminant" (UIC) means any physical, chemical, biological, or radiological substance or matter in water.

"Corrective action management unit" or "CAMU" means an area within a



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facility that is designated by the Agency under 35 Ill. Adm. Code 724.Subpart S for the purpose of implementing corrective action requirements under 35 Ill. Adm. Code 724.201 and RCRA section 3008(h). A CAMU shall only be used for the management of remediation wastes pursuant to implementing such corrective action requirements at the facility.

BOARD NOTE: USEPA 8-S--BPA must also designate a CAMU until it grants this authority to the Agency. See the note following 35 Ill. Adm. Code 724.652.

"CWA" means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) and P.L. 92-500, as amended by P.L. 95-217, and P.L. 95-576; 33 U.S.C. 1251 et seq. (1992).

"Date of approval by USEPA 8-S--BPA of the Illinois UIC program" means March 3, 1984.

"Director" means the Director of the Illinois Environmental Protection Agency or the Director's designee.

"Disposal" (RCRA) means the discharge, deposit, injection, dumping, spilling, leaking, or placing of any "hazardous waste" into or on any land or water so that such hazardous waste or any constituent of the waste may enter the environment or be emitted into the air or discharged into any waters, including groundwater.

"Disposal Facility" (RCRA) means a facility or part of a facility at which "hazardous waste" is intentionally placed into or on the land or water, and at which hazardous waste will remain after closure. The term disposal facility does not include a corrective action management unit into which remediation wastes are placed.

"Draft Permit" means a document prepared under 35 Ill. Adm. Code 705.141 indicating the Agency's tentative decision to issue, deny, modify, terminate, or reissue a "permit". A notice of intent to deny a permit, as discussed in 35 Ill. Adm. Code 705.141, is a type of "draft permit". A denial of a request for modification, as discussed in 35 Ill. Adm. Code 705.128, is not a "draft permit". A "proposed permit" is not a "draft permit".

"Drilling Mud" (UIC) means a heavy suspension used in drilling an "injection well", introduced down the drill pipe and through the drill bit.

"Elementary neutralization unit" means a device which:

Is used for neutralizing wastes that are hazardous wastes only

## POLLUTION CONTROL BOARD

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because they exhibit the corrosivity characteristics defined in 35 Ill. Adm. Code 721.122, or are listed in 35 Ill. Adm. Code 721.Subpart D only for this reason; and

Meets the definition of tank, tank system, container, transport vehicle or vessel in 35 Ill. Adm. Code 720.110.

"Emergency Permit" means a RCRA or UIC "permit" issued in accordance with 35 Ill. Adm. Code 703.221 or 704.163, respectively.

"Environmental Protection Agency" ("EPA" or "USEPA" 8-S--BPA) means the United States Environmental Protection Agency.

"Exempted aquifer" (UIC) means an "aquifer" or its portion that meets the criteria in the definition of "underground source of drinking water" but which has been exempted according to the procedures in 35 Ill. Adm. Code 702.105, 704.104, and 704.123(b).

"Existing hazardous waste management (HWM) facility" or "existing facility" means a facility that was in operation or for construction commenced on or before November 19, 1980. A facility has commenced construction if:

The owner or operator has obtained the Federal, State, and local approvals or permits necessary to begin physical construction; and

Either:

A continuous on-site, physical construction program has begun; or

The owner or operator has entered into contractual obligations -- that cannot be cancelled or modified without substantial loss -- for physical construction of the facility to be completed within a reasonable time.

"Existing injection well" (UIC) means an "injection well" other than a "new injection well".

"Facility or activity" means any "HWM facility", UIC "injection well", or any other facility or activity (including land or appurtenances thereto) that is subject to regulations under the Illinois RCRA or UIC program.

"Facility mailing list" (RCRA) means the mailing list for a facility maintained by the Agency in accordance with 35 Ill. Adm. Code 705.163.

"Federal, State, and local approvals or permits necessary to begin

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physical construction" means permits and approvals required under Federal, State, or local hazardous waste control statutes, regulations, or ordinances. (See 35 Ill. Adm. Code 700.102.)

"Final authorization" (RCRA) means approval by EPA of the Illinois Hazardous Waste Management Program that has met the requirements of Section 3006(b) of RCRA and the applicable requirements of 40 CFR 271, Subpart A (1992). EPA granted initial final authorization on January 31, 1986.

"Fluid" (UIC) means any material or substance that flows or moves whether in a semisolid, liquid, sludge, gas, or any other form or state.

"Formation" (UIC) means a body of rock characterized by a degree of lithologic homogeneity that is prevailing, but not necessarily, tabular and is mappable on the earth's surface or traceable in the subsurface.

"Formation fluid" (UIC) means "fluid" present in a "formation" under natural conditions, as opposed to introduced fluids, such as "drilling mud".

"Functionally equivalent component" (RCRA) means a component that performs the same function or measurement and which meets or exceeds the performance specifications of another component.

"Generator" (RCRA) means any person, by site location, whose act or process produces "hazardous waste" identified or listed in 35 Ill. Adm. Code 721.

"Groundwater" (RCRA and UIC) means a water below the land surface in a zone of saturation.

"Hazardous Waste" (RCRA and UIC) means a hazardous waste as defined in 35 Ill. Adm. Code 721.103.

"Hazardous waste management facility" ("HWM facility") means all contiguous land and structures, other appurtenances, and improvements on the land, used for treating, storing, or disposing of "hazardous waste". A facility may consist of several "treatment", "storage", or "disposal" operational units (for example, one or more landfills, surface impoundments, or combinations of them).

"HWM facility" (RCRA) means "Hazardous Waste Management facility".

"Injection well" (RCRA and UIC) means a "well" into which "fluids" are being injected.

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"Injection zone" (UIC) means a geological "formation", group of formations, or part of a formation receiving fluids through a "well".

"In operation" (RCRA) means a facility that is treating, storing, or disposing of "hazardous waste".

"Interim authorization" (RCRA) means approval by EPA of the Illinois Hazardous Waste Management program that has met the requirements of Section 3006(g)(2)(F) of RCRA and applicable requirements of 40 CFR 271 (1992). This happened on May 17, 1982.

"Interstate agency" means an agency of two or more states established by or under an agreement or compact approved by the Congress, or any other agency of two or more states having substantial powers or duties pertaining to the control of pollution as determined and approved by the Administrator under the "appropriate Act and regulations".

"Major facility" means any RCRA or UIC "facility or activity" classified as such by the Regional Administrator or the Agency.

"Manifest" (RCRA and UIC) means the shipping document originated and signed by the "generator" that contains the information required by 35 Ill. Adm. Code 722, Subpart B.

"National Pollutant Discharge Elimination System" means the program for issuing, modifying, revoking and reissuing, terminating, monitoring, and enforcing permits and imposing and enforcing pretreatment requirements under Section 12(f) of the Environmental Protection Act and 35 Ill. Adm. Code 309, Subpart A and 310. The term includes an "approved program".

"New HWM facility" (RCRA) means a "Hazardous Waste Management facility" that began operation or for which construction commenced after November 19, 1980.

"New injection well" (UIC) means a "well" that began injection after the UIC program for the State of Illinois applicable to the well is approved.

"Off-site" (RCRA) means any site that is not "on-site".

"On-site" (RCRA) means on the same or geographically contiguous property that may be divided by public or private right(s)-of-way, provided the entrance and exit between the properties is at a cross-roads intersection, and access is by crossing as opposed to going along, the right(s)-of-way. Non-contiguous properties owned by the same person but connected by a right-of-way that the person controls and to which the public does not have access, is also

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considered on-site property.

"Owner or operator" means the owner or operator of any "facility or activity" subject to regulation under the RCRA or UIC programs.

"Permit" means an authorization, license, or equivalent control document issued to implement the requirements of this Part and 35 Ill. Adm. Code 703, 704, and 705.

"Permit" includes RCRA "permit by rule" (35 Ill. Adm. Code 703.141), UIC area permit (35 Ill. Adm. Code 704.162), and RCRA or UIC "Emergency Permit" (35 Ill. Adm. Code 703.221 and 704.163). "Permit" does not include RCRA interim status (35 Ill. Adm. Code 703.153 through 703.157), UIC authorization by rule (35 Ill. Adm. Code 704. Subpart C), or any permit that has not yet been the subject of final Agency action, such as a "Draft Permit" or a "Proposed Permit".

"Person" means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, political subdivision, state agency, or any other legal entity, or their legal representative, agency, or assigns.

~~"Phase I" means the period of time commencing May 1977 and ending May 1980, during which the RCRA permit by rule is in effect. This period shall be known as the "Phase I" period.~~

~~"Phase II" means the period of time commencing May 1980 and ending May 1986, during which the RCRA permit by rule is in effect. This period shall be known as the "Phase II" period.~~

"Physical construction" (RCRA) means excavation, movement of earth, erection of forms or structures or similar activity to prepare an "HWM facility" to accept "hazardous waste".

"Plugging" (UIC) means the act or process of stopping the flow of water, oil, or gas into or out of a formation through a borehole or well penetrating that formation.

"POTW" means "publicly owned treatment works".

"Project" (UIC) means a group of wells in a single operation.

"Publicly owned treatment works" ("POTW") is as defined in 35 Ill. Adm. Code 310.

"Radioactive waste" (UIC) means any waste that contains radioactive

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material in concentrations that exceed those listed in 10 CFR 20, Appendix B, Table II, Column 2, incorporated by reference in 35 Ill. Adm. Code 720.111.

"RCRA" means the Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act of 1976 (P.L. 94-580, as amended by P.L. 95-609, P.L. 96-510, 42 U.S.C. 6901 et seq. (1992)). For the purposes of regulation under 35 Ill. Adm. Code 700 through 705, 720 through 728, and 739, "RCRA" refers only to RCRA Subtitle C. This does not include the RCRA Subtitle D (municipal solid waste landfill) regulations, found in 35 Ill. Adm. Code 810 through 815, and the RCRA Subtitle I (underground storage tank) regulations found in 35 Ill. Adm. Code 731 and 732.

"RCRA permit" means a permit required under Section 21(f) of the Environmental Protection Act.

"Regional Administrator" means the Regional Administrator for the EPA Region in which the facility is located or the Regional Administrator's designee.

"Schedule of compliance" means a schedule of remedial measures included in a "permit", including an enforceable sequence of interim requirements (for example, actions, operations, or milestone events) leading to compliance with the "appropriate Act and regulations".

"SDWA" means the Safe Drinking Water Act (P.L. 93-523, as amended, 42 U.S.C. 300f et seq. (1992)).

"Site" means the land or water area where any "facility or activity" is physically located or conducted, including adjacent land used in connection with the facility or activity.

"SIC Code" means codes pursuant to the Standard Industrial Classification Manual incorporated by reference in 35 Ill. Adm. Code 720.111.

"State" means the State of Illinois.

"State Director" means the Director of the Illinois Environmental Protection Agency.

"State/EPA Agreement" means an agreement between the Regional Administrator and the State that coordinates EPA and State activities, responsibilities, and programs including those under the RCRA and SDWA.

"Storage" (RCRA) means the holding of "hazardous waste" for a



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temporary period, at the end of which the hazardous waste is treated, disposed, or stored elsewhere.

"Stratum (plural strata)" (UIC) means a single sedimentary bed or layer, regardless of thickness, that consists of generally the same kind of rock material.

"Total dissolved solids" (UIC) means the total dissolved (filterable) solids as determined by use of the method specified in 40 CFR 136, incorporated by reference in 35 Ill. Adm. Code 720.111.

"Transfer facility" means any transportation related facility including loading docks, parking areas, storage areas, and other similar areas where shipments of hazardous wastes are held during the normal course of transportation.

"Transferee" (UIC) means the owner or operator receiving ownership or operational control of the well.

"Transferor" (UIC) means the owner or operator transferring ownership or operational control of the well.

"Transporter" (RCRA) means a person engaged in the off-site transportation of "hazardous waste" by air, rail, highway, or water.

"Treatment" (RCRA) means any method, technique, process, including neutralization, designed to change the physical, chemical, or biological character or composition of any "hazardous waste" so as to neutralize such wastes, or so as to recover energy or material resources from the waste, or so as to render such wastes non-hazardous, or less hazardous; safer to transport, store, or dispose of; or amenable for recovery, amenable for storage, or reduced in volume.

"UIC" means the Underground Injection Control program.

"Underground Injection" (UIC) means a "well injection".

"Underground source of drinking water" ("USDW") (RCRA and UIC) means an "aquifer" or its portion:

Which:

Supplies any public water system; or

Contains a sufficient quantity of groundwater to supply a public water system; and

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Currently supplies drinking water for human consumption; or

Contains less than 10,000 mg/l total dissolved solids; and

That is not an "exempted aquifer".

"USDW" (RCRA and UIC) means an "underground source of drinking water".

"Wastewater treatment unit" means a device which:

Is part of a wastewater treatment facility that is subject to regulation under 35 Ill. Adm. Code 309.Subpart A or 310; and

Receives and treats or stores an influent wastewater that is a hazardous waste as defined in 35 Ill. Adm. Code 721.103, or generates and accumulates a wastewater treatment sludge that is a hazardous waste as defined in 35 Ill. Adm. Code 721.103, or treats or stores a wastewater treatment sludge that is a hazardous waste as defined in 35 Ill. Adm. Code 721.103; and

Meets the definition of tank or tank system in 35 Ill. Adm. Code 720.110.

"Well" (UIC) means a bored, drilled, or driven shaft, or a dug hole, whose depth is greater than the largest surface dimension.

"Well injection" (UIC) means the subsurface emplacement of "fluids" through a bored, drilled, or driven "well"; or through a dug well, where the depth of the dug well is greater than the largest surface dimension.

BOARD NOTE: Derived from 40 CFR 144.3 (1994) as amended at 58 Fed. Reg. 63895 (Dec. 31, 1993) and 270.2 (1994) (1993), as amended at 60 Fed. Reg. 33914 (June 29, 1995) 6685 (Feb. 16, 1993).

(Source: Amended at 20 Ill. Reg. 11210, effective

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- 1) Heading of the Part: RCRA Permit Program
- 2) Code citation: 35 Ill. Adm. Code 703
- 3) Section numbers:  
703.123 Amended action:  
703.150 Amended  
703.151 Amended  
703.152 Amended
- 4) Statutory authority: 415 ILCS 5/22.4 and 27
- 5) Effective date of amendments: August 1, 1996
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) Date filed in Board's principal office: Order adopted June 20, 1996.
- 9) Notice of proposal published in Illinois Register: February 16, 1996, 20 Ill. Reg. 2940.
- 10) Has JCRA issued a Statement of Objections to these rules? No

Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] provides that Section 5 of the Administrative Procedure Act [5 ILCS 100/5-35 and 5-40] shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCRA.

- 11) Differences between proposal and final version: The following tables summarize present the differences between the proposed and final versions of the amendments:

Revisions to the Text of the Proposed Amendments

Section	Correction
703.123(g)	Changed end punctuation
703.123(h)	Removed redundant language: "is not subject to the requirements of this Part"
703.150(a)(2)	Added "or"
703.123(h)	Deleted "is not subject to the requirements of this Part" (as redundant in light of the

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- preamble language)
- 703.152(a)(2) Changed end punctuation
- 703.152(b) Corrected "paragraph" to "subsection"
- 12) Have all the changes agreed upon by the Board and JCRA been made as indicated in the agreement letter issued by JCRA? Section 22.4(a) of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCRA. Nevertheless, JCRA did review the regulations and submitted a number of suggested corrections for Board consideration. The Board reviewed the suggestions and accepted most of them.
  - 13) Will these amendments replace an emergency amendment currently in effect?  
No
  - 14) Are there any other amendments pending on this Part? No
  - 15) Summary and purpose of amendments:

A more detailed description is contained in the Board's opinion of June 20, 1996 in R95-20, which Opinion is available from the address below. Section 22.4 of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCRA.

The larger R95-20 proceeding, of which the amendments to this Part are one segment, updates 35 Ill. Adm. Code 702, 703, 720, 721, 722, 724, 725, 726, and 728 of the Board's RCRA Subtitle C rules and adds 35 Ill. Adm. Code 733 to correspond with amendments adopted by U.S. EPA that appeared in the Federal Register during the period January 1 through June 30, 1995, with the addition of actions dated July 7, September 29, and November 13, 1995 and June 5, 1996. During the routine update period of January 1 through June 30, 1995, USEPA undertook the following actions:

Federal Action	Summary
Jan. 3, 1995, 60 Fed. Reg. 242	Technical Corrections to Phase II LDRs
Jan. 13, 1995, 60 Fed. Reg. 3089	Update to testing and monitoring methods
Feb. 3, 1995, 60 Fed. Reg. 6666	Response to City of Chicago v. Environmental Defense Fund decision

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Feb. 7, 1995, Determination that additional regulation is necessary for cement kiln dust  
60 Fed. Reg. 7366

Feb. 9, 1995, New hazardous waste listings for six carbamate production wastes; addition of 58 commercial chemical product wastes; exemption of certain biological treatment sludges  
60 Fed. Reg. 7824

Apr. 4, 1995, Update to testing and monitoring methods  
60 Fed. Reg. 17001

Apr. 4, 1995, Update to CWA analytical methods  
60 Fed. Reg. 17160

Apr. 17, 1995, Corrections to carbamate waste listings  
60 Fed. Reg. 19165

May 11, 1995, Universal Waste Rule  
60 Fed. Reg. 25492

May 12, 1995, Correction to carbamate waste listings  
60 Fed. Reg. 25619

May 19, 1995, Postponement of effective date for tank, container, and surface impoundment air emissions rules  
60 Fed. Reg. 26828

June 13, 1995, Delisting of hazardous waste generated in Illinois by a Pennsylvania company  
60 Fed. Reg. 31114

June 29, 1995, Deletion of obsolete, redundant, and outdated RCRA rules  
60 Fed. Reg. 33912

In addition to these principal amendments that occurred during the normal docket update period, the Board has included four additional, later actions that are corrections or relaxations of prior amendments in the preceding RCRA Subtitle C update docket, R95-4/R95-6:

July 7, 1995, Correction to the Subpart CC organic material emissions standards for tanks, containers and surface impoundments  
60 Fed. Reg. 35452

September 29, 1995, Stay of Subpart CC rules as they apply to tanks, containers, and surface impoundments that contain wastes generated in the manufacture of organic peroxides  
60 Fed. Reg. 50426

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November 13, 1995, Stay of Subpart CC rules in their entirety until 60 Fed. Reg. 56952  
June 6, 1996

June 5, 1996, Stay of Subpart CC rules in their entirety until 61 Fed. Reg. 28508  
October 6, 1996

Further, the Board used this opportunity to include a number of corrective amendments to the existing regulations. These corrections are more fully described below. They are derived from comments by the Joint Committee on Administrative Rules (JCAR) and the Illinois EPA (Agency).

Finally, the Board omitted from consideration two set of federal amendments that occurred during the time-frame of this docket. First, on January 3, 1995, USEPA corrected errors and clarified language in the universal treatment standards adopted on September 19, 1994 as the Phase II LDRs. The Board did not include those amendments in this docket because we dealt with them in docket R95-4/R95-6, when adopting the Phase II rules. Second, on May 19, 1995, USEPA stayed implementation the 40 CFR 264, subpart CC and 265, subpart CC (Subpart CC) regulations governing organic material emissions from tanks, containers, and surface impoundments. USEPA delayed the effective date by six months, until December 6, 1995. This delay was similarly included with the R95-4/R95-6 amendments, so there was no need for the Board to take action at this time. Further, the subsequent federal stay granted on November 13, 1995 and extended on June 5, 1996 made that initial stay of May 19 obsolete.

Specifically, the segment of the amendments involved in Part 703 are based on the June 29, 1995 federal repeal of obsolete, redundant, and out-dated rules, the May 11, 1995 universal waste rules. USEPA amended 40 CFR 270.1(c)(2) on May 11, which corresponds with Section 703.123, and it amended 40 CFR 270.10(e), (f), and (g) on June 29, which correspond with Sections 703.150, 703.151, and 703.152. The Board has further used this opportunity to make a number of minor, non-substantive amendments to the existing text of the regulations.

16) Information and questions regarding this adopted amendments shall be directed to:

Michael J. McCambridge  
Attorney  
Illinois Pollution Control Board  
100 W. Randolph, Suite 11-500  
Chicago, IL 60601  
312/814-6924

Request copies of the Board's opinion and order of June 20, 1996 from Victoria Agveman, at 312/814-3620.



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The full text of the adopted amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE G: WASTE DISPOSAL  
CHAPTER I: POLLUTION CONTROL BOARD  
SUBCHAPTER b: PERMITS

## PART 703

## RCRA PERMIT PROGRAM

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Section  
703.100  
703.101  
703.110

Scope and Relation to Other Parts  
Purpose  
References

## SUBPART B: PROHIBITIONS

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Prohibitions in General  
RCRA Permits  
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Specific Exclusions from Permit Program  
Discharges of Hazardous Waste  
Reapplications  
Initial Applications  
Federal Permits (Repealed)

## SUBPART C: AUTHORIZATION BY RULE AND INTERIM STATUS

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703.151  
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Purpose and Scope  
Permits by Rule  
Application by Existing HWM Facilities and Interim Status  
Qualifications  
Application by New HWM Facilities  
Amended Part A Application  
Qualifying for Interim Status  
Prohibitions During Interim Status  
Changes During Interim Status  
Interim Status Standards  
Grounds for Termination of Interim Status  
Permits for Less Than an Entire Facility  
Closure by Removal  
Procedures for Closure Determination

## SUBPART D: APPLICATIONS

Section

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703.180	Applications in General
703.181	Contents of Part A
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703.183	General Information
703.184	Facility Location Information
703.185	Groundwater Protection Information
703.186	Exposure Information
703.187	Solid Waste Management Units
703.188	Other Information
703.200	Specific Part B Application Information
703.201	Containers
703.202	Tank Systems
703.203	Surface Impoundments
703.204	Waste Piles
703.205	Incinerators that Burn Hazardous Waste
703.206	Land Treatment
703.207	Landfills
703.208	Boilers and Industrial Furnaces Burning Hazardous Waste
703.209	Miscellaneous Units
703.210	Process Vents
703.211	Equipment
703.212	Drip Pads
703.213	Air Emission Controls for Tanks, Surface Impoundments, and Containers

SUBPART E: SHORT TERM AND PHASED PERMITS

Section	
703.221	Emergency Permits
703.222	Incinerator Conditions Prior to Trial Burn
703.223	Incinerator Conditions During Trial Burn
703.224	Incinerator Conditions After Trial Burn
703.225	Trial Burns for Existing Incinerators
703.230	Land Treatment Demonstration
703.231	Research, Development and Demonstration Permits
703.232	Permits for Boilers and Industrial Furnaces Burning Hazardous Waste

SUBPART F: PERMIT CONDITIONS OR DENIAL

Section	
703.240	Permit Denial
703.241	Establishing Permit Conditions
703.242	Noncompliance Pursuant to Emergency Permit
703.243	Monitoring
703.244	Notice of Planned Changes (Repealed)
703.245	Twenty-four Hour Reporting
703.246	Reporting Requirements
703.247	Anticipated Noncompliance

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SUBPART G: CHANGES TO PERMITS

Section	
703.260	Transfer
703.270	Modification
703.271	Causes for Modification
703.272	Causes for Modification or Reissuance
703.273	Facility Siting
703.280	Permit Modification at the Request of the Permittee
703.281	Class 1 Modifications
703.282	Class 2 Modifications
703.283	Class 3 Modifications

APPENDIX A Classification of Permit Modifications

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R82-19, 53 PCB 131, at 7 Ill. Reg. 14289, effective October 12, 1983; amended in R83-24 at 8 Ill. Reg. 206, effective December 27, 1983; amended in R84-9 at 9 Ill. Reg. 11899, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 1110, effective January 2, 1986; amended in R85-23 at 10 Ill. Reg. 13284, effective July 28, 1986; amended in R86-1 at 10 Ill. Reg. 14093, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20702, effective December 2, 1986; amended in R86-28 at 11 Ill. Reg. 6121, effective March 24, 1987; amended in R87-5 at 11 Ill. Reg. 19383, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2584, effective January 15, 1988; amended in R87-39 at 12 Ill. Reg. 13069, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 447, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18477, effective November 13, 1989; amended in R89-9 at 14 Ill. Reg. 6278, effective April 16, 1990; amended in R90-2 at 14 Ill. Reg. 14492, effective August 22, 1990; amended in R90-11 at 15 Ill. Reg. 9616, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14554, effective September 30, 1991; amended in R91-13 at 16 Ill. Reg. 9767, effective June 9, 1992; amended in R92-10 at 17 Ill. Reg. 5774, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20794, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6898, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12392, effective July 29, 1994; amended in R94-5 at 18 Ill. Reg. 18316, effective December 20, 1994; amended in R95-6 at 19 Ill. Reg. 9920, effective June 27, 1995; amended at R95-20 at 20 Ill. Reg. 11283, effective AUG 01 1996.

NOTE: In this part, superscript numbers or letters are denoted by parentheses; subscript are denoted by brackets.

SUBPART B: PROHIBITIONS

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**Section 703.123 Specific Exclusions from Permit Program**

The following persons are among those who are not required to obtain a RCRA permit:

- a) Generators who accumulate hazardous waste on-site for less than the time periods provided in 35 Ill. Adm. Code 722.134;
- b) Farmers who dispose of hazardous waste pesticides from their own use as provided in 35 Ill. Adm. Code 722.170;
- c) Persons who own or operate facilities solely for the treatment, storage or disposal of hazardous waste excluded from regulations under this Part by 35 Ill. Adm. Code 721.104 or 721.105 (small generator exemption);
- d) Owners or operators of totally enclosed treatment facilities as defined in 35 Ill. Adm. Code 720.110;
- e) Owners and operators of elementary neutralization units or wastewater treatment units as defined in 35 Ill. Adm. Code 720.110;
- f) Transporters storing manifested shipments of hazardous waste in containers meeting the requirements of 35 Ill. Adm. Code 722.130 at a transfer facility for a period of ten days or less;
- g) Persons adding absorbent material to waste in a container (as defined in 35 Ill. Adm. Code 720.110) and persons adding waste to absorbent material in a container, provided that these actions occur at the time waste is first placed in the container; and 35 Ill. Adm. Code 724.117(b), 724.271 and 724.272 are complied with; and-
- h) A universal waste handler or universal waste transporter (as defined in 35 Ill. Adm. Code 720.110) that manages the wastes listed below. Such a handler or transporter is subject to regulation under 35 Ill. Adm. Code 733.
  - 1) Batteries, as described in 35 Ill. Adm. Code 733.102;
  - 2) Pesticides, as described in 35 Ill. Adm. Code 733.103; and
  - 3) Thermostats, as described in 35 Ill. Adm. Code 733.104.

†BOARD NOTE: Derived from See 40 CFR 270.1(c)(2) (1994), as amended at 60 Fed. Reg. 25542 27165, May 11, 1995 July-19-1988.†

(Source: Amended at 20 Ill. Reg. 11225, effective

AUG 01 1996)

SUBPART C: AUTHORIZATION BY RULE AND INTERIM STATUS

**Section 703.150 Application by Existing HWM Facilities and Interim Status Qualifications**

- a) The owner or operator of an existing HWM facility or of an HWM facility in existence on the effective date of statutory or regulatory amendments that render the facility subject to the requirement to have a RCRA permit must submit Part A of the permit application to the Agency no later than the following times, whichever comes first:
  - 1) Six months after the date of publication of regulations which

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first require the owner or operator to comply with standards in 35 Ill. Adm. Code 725 or 726; or

- 2) Thirty days after the date the owner or operator first becomes subject to the standards in 35 Ill. Adm. Code 725 or 726; or
- 3) For generators which generate greater than 100 kilograms but less than 1000 kilograms of hazardous waste in a calendar month and treat, store or dispose of these wastes on-site, by March 24, 1987.

BOARD NOTE: Derived from 40 CFR 270.10(e)(1) (1994) and 270-10(e)(1) 1993, amended at 56 Fed. Reg. 32680, July-17-1991.

- b) In granting a variance under subsection (c), below, the Board will consider whether there has been substantial confusion as to whether the owner or operator of such facilities were required to file a Part A application and whether such confusion was attributable to ambiguities in 35 Ill. Adm. Code 720, 721 or 725.

BOARD NOTE: Derived from 40 CFR 270.10(e)(2) (1994 1998).

- c) The time for filing Part A of the permit application may be extended only by a Board Order entered pursuant to a variance petition.

BOARD NOTE: Derived from 40 CFR 270.10(e)(3) (1994 1998).

- d) The owner or operator of an existing HWM facility may be required to submit Part B of the permit application at any time after the effective date of standards in 35 Ill. Adm. Code 724 applicable to any HWM unit at the facility. The Agency will notify the owner or operator that a Part B application is required, and set a date for receipt of the application, not less than six months after the date the notice is sent. The owner or operator may voluntarily submit a Part B application for all or part of the HWM facility at any time. Notwithstanding the above, any owner or operator of an existing HWM facility must submit a Part B permit application in accordance with the dates specified in Section 703.157. Any owner or operator of a land disposal facility in existence on the effective date of statutory or regulatory amendments which render the facility subject to the requirement to have a RCRA permit must submit a Part B application in accordance with the dates specified in Section 703.157.

BOARD NOTE: Derived from 40 CFR 270.10(e)(4) (1994 1998), as amended at 60 Fed. Reg. 33914 (June 29, 1995).

- e) Interim status may be terminated as provided in Section 703.157.

BOARD NOTE: Derived from 40 CFR 270.10(e)(5) (1994 1998).

(Source: Amended at 20 Ill. Reg. 11225, effective

**Section 703.151 Application by New HWM Facilities**

- a) Except as provided in subsection (c), no person shall begin physical construction of a new HWM facility without having submitted Part A and Part B of the permit application and having received a finally effective RCRA permit;



## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

- b) An application for a permit for a new HWM facility (including both Part A and Part B) may be filed at any time after promulgation of standards in 35 Ill. Adm. Code 724 applicable to any TSD unit in the facility; Except as provided in subsection (c), all applications must be submitted to the Agency at least 180 days before physical construction is expected to commence;
- c) Notwithstanding subsection (a), a person may construct a facility for the incineration of polychlorinated biphenyls pursuant to an approval issued by the Administrator of USEPA under Section (6)(e) of the Toxic Substances Control Act (42 U.S.C. 9601 et seq.) and any person owning or operating such a facility may, at any time after construction or operation of such facility has begun, file an application for a RCRA permit to incinerate hazardous waste authorizing such facility to incinerate waste identified or listed under 35 Ill. Adm. Code 721.
- d) Such persons may continue physical construction of the HWM facility after the effective date of the standards applicable to it if the person submits Part B of the permit application on or before the effective date of such standards (or on some later date specified by the Agency.) Such person must not operate the HWM facility without having received a finally effective RCRA permit.

BOARD NOTE: Derived from tBoard-Note:--See 40 CFR 270.10(f)(1994), as amended at 60 Fed. Reg. 33914 (June 29, 1995).†

(Source: Amended at 20 Ill. Reg. 11225, effective AUG 01 1996)

## Section 703.152 Amended Part A Application

- a) If any owner or operator of an HWM facility has filed Part A of a permit application and has not yet filed Part B, the owner or operator shall file an amended Part A application with the Agency:

- 1) No later than the effective date of revised regulations under 35 Ill. Adm. Code 721 listing or identifying additional hazardous wastes, if the facility is treating, storing or disposing of any of those newly listed or identified wastes;
- 2) As necessary to comply with provisions of Section 703.155 for changes during interim status.†

- b) The owner or operator of a facility who fails to comply with the updating requirements of subsection paragraph (a) does not receive interim status as to the wastes not covered by duly filed Part A applications.

BOARD NOTE: Derived from tBoard-Note:--See 40 CFR 270.10(g) (1994), as amended at 60 Fed. Reg. 33914 (June 29, 1995).†

(Source: ~~AUG 01 1996~~ at 20 Ill. Reg. 11225, effective AUG 01 1996)

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Standards Applicable to Generators of Hazardous Waste
- 2) Code Citation: 35 Ill. Adm. Code 722
- 3) Section Numbers: Adopted Action:  
722.110 Amended  
722.111 Amended
- 4) Statutory Authority: 415 ILCS 5/22.4 and 27
- 5) Effective Date of Rulemaking: August 1, 1996
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: Order adopted June 20, 1996
- 9) Notice of Proposal Published in Illinois Register: February 16, 1996, 20 Ill. Reg. 2951
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version: The following tables summarily present the differences between the proposed and final versions of the amendments:

## Revisions to the Text of the Proposed Amendments

Section	Correction
722.110(g)	Removed subsection referring to repealed provision
722.111(d)	Moved "and"
12)	Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes. Section 22.4(a) of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR. Nevertheless, JCAR did review the regulations and submitted a number of suggested corrections for Board consideration. The Board reviewed the suggestions and accepted most of them.

- 13) Will this rulemaking replace an emergency rule currently in effect? No

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

14) Are there any amendments pending on this Part? No

15) Summary and purpose of amendments:

A more detailed description is contained in the Board's opinion of June 20, 1996 in R95-20, which Opinion is available from the address below. Section 22.4 of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

The larger R95-20 proceeding, of which the amendments to this Part is one segment, updates 35 Ill. Adm. Code 702, 720, 721, 722, 724, 725, 726, and 728 of the Board's RCRA Subtitle C rules and adds 35 Ill. Adm. Code 733 to correspond with amendments adopted by U.S. EPA that appeared in the Federal Register during the period January 1 through June 30, 1995, with the addition of actions dated July 7, September 29, and November 13, 1995 and June 5, 1996. During the routine update period of January 1 through June 30, 1995, U.S. EPA undertook the following actions:

Federal ActionSummary

Jan. 3, 1995, Technical Correction to Phase II LDRs

60 Fed. Reg. 242

Update to testing and monitoring methods

Jan. 13, 1995,  
60 Fed. Reg. 3089

Response to City of Chicago v. Environmental  
Defense Fund decision

Feb. 3, 1995,  
60 Fed. Reg. 6666

Determination that additional regulation is  
necessary for cement kiln dust

Feb. 7, 1995,  
60 Fed. Reg. 7366

New hazardous waste listings for six carbamate  
production wastes; addition of 58 commercial  
chemical product wastes; exemption of certain  
biological treatment sludges

Feb. 9, 1995  
60 Fed. Reg. 7824

Update to testing and monitoring methods

Apr. 4, 1995,  
60 Fed. Reg. 17001

Update to CWA analytical methods

Apr. 4, 1995,  
60 Fed. Reg. 17160

Corrections to carbamate waste listings

Apr. 17, 1995,  
60 Fed. Reg. 19165

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

May 11, 1995,  
60 Fed. Reg. 25492

Universal Waste Rule

May 12, 1995,  
60 Fed. Reg. 25619

Correction to carbamate waste listings

May 19, 1995,  
60 Fed. Reg. 26828

Postponement of effective date for tank,  
container, and surface impoundment air emissions  
rules

June 13, 1995,  
60 Fed. Reg. 31114

Delisting of hazardous waste generated in  
Illinois by a Pennsylvania company

June 29, 1995,  
60 Fed. Reg. 33912

Deletion of obsolete, redundant, and outdated  
RCRA rules

In addition to these principal amendments that occurred during the normal docket update period, the Board has included four additional, later actions that are corrections or relaxations of prior amendments in the preceding RCRA Subtitle C update docket, R95-4/R95-6:

July 7, 1995,  
60 Fed. Reg. 35452

Correction to the Subpart CC organic material  
emissions standards for tanks, containers and  
surface impoundments

September 29, 1995,  
60 Fed. Reg. 50426

Stay of Subpart CC rules as they apply to tanks,  
containers, and surface impoundments that contain  
wastes generated in the manufacture of organic  
peroxides

November 13, 1995,  
60 Fed. Reg. 56952

Stay of Subpart CC rules in their entirety until  
June 6, 1996

June 5, 1996,  
61 Fed. Reg. 28508

Stay of Subpart CC rules in their entirety until  
October 6, 1996

Further, the Board used this opportunity to include a number of corrective amendments to the existing regulations. These corrections are more fully described below. They are derived from comments by the Joint Committee on Administrative Rules (JCAR) and the Illinois EPA (Agency).

Finally, the Board omitted from consideration two set of federal amendments that occurred during the time-frame of this docket. First, on January 3, 1995, USEPA corrected errors and clarified language in the universal treatment standards adopted on September 19, 1994 as the Phase II LDRs. The Board did not include those amendments in this docket because we dealt with them in docket R95-4/R95-6, when adopting the Phase II rules. Second, on May 19, 1995, USEPA stayed the implementation of 40

## POLLUTION CONTROL BOARD

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CFR 264, subpart CC and 265, subpart CC (Subpart CC) regulations governing organic material emissions from tanks, containers, and surface impoundments. USEPA delayed the effective date by six months, until December 6, 1995. This delay was similarly included with the R95-4/R95-6 amendments, so there was no need for the Board to take action at this time. Further, the subsequent federal stay granted on November 13, 1995 and extended on June 5, 1996 made that initial stay of May 19 obsolete.

Specifically, the segment of the amendments involved in Part 722 result from the federal universal waste rules of May 11, 1995. They allow the generator to use the quantity exclusions of 35 Ill. Adm. Code 721.105(c) in determining the applicability of the hazardous waste management standards of this Part to its activities. The Board has further used this opportunity to make a number of minor, non-substantive amendments to the existing text of the regulations.

- 16) Information and questions regarding this adopted amendments shall be directed to:

Michael J. McCambridge  
Attorney  
Illinois Pollution Control Board  
100 W. Randolph, Suite 11-500  
Chicago, IL 60601  
312/814-6924

Request copies of the Board's opinion and order of June 20, 1996 from Victoria Agyeman, at 312/814-3620.

The full text of the adopted amendments begins on the next page:

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

## TITLE 35: ENVIRONMENTAL PROTECTION

## SUBTITLE G: WASTE DISPOSAL

## CHAPTER I: POLLUTION CONTROL BOARD

## SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

## PART 722

STANDARDS APPLICABLE TO  
GENERATORS OF HAZARDOUS WASTE

## SUBPART A: GENERAL

Section  
722.110  
722.111  
722.112

Purpose, Scope and Applicability  
Hazardous Waste Determination  
USEPA Identification Numbers

## SUBPART B: THE MANIFEST

Section  
722.120  
722.121  
722.122  
722.123

General Requirements  
Acquisition of Manifests  
Number of Copies  
Use of the Manifest

## SUBPART C: PRE-TRANSPORT REQUIREMENTS

Section  
722.130  
722.131  
722.132  
722.133  
722.134

Packaging  
Labeling  
Marking  
Placarding  
Accumulation Time

## SUBPART D: RECORDKEEPING AND REPORTING

Section  
722.140  
722.141  
722.142  
722.143  
722.144

Recordkeeping  
Annual Reporting  
Exception Reporting  
Additional Reporting  
Special Requirements for Generators of between 100 and 1000 kilograms per month

## SUBPART E: EXPORTS OF HAZARDOUS WASTE

Section  
722.150  
722.151

Applicability  
Definitions





## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

hazardous waste.

c) For purposes of compliance with 35 Ill. Adm. Code 728, or if the waste is not listed as a hazardous waste in 35 Ill. Reg. Adm. Code 721.Subpart D, the generator shall then determine whether the waste is identified in 35 Ill. Adm. Code 721.Subpart C by either:

1) Testing the waste according to the methods set forth in 35 Ill. Adm. Code 721.Subpart C, or according to an equivalent method approved by the Board under 35 Ill. Adm. Code 720.121; or

2) Applying knowledge of the hazard characteristic of the waste in light of the materials or the processes used.

d) If the generator determines that the waste is hazardous, the generator shall refer to 35 Ill. Adm. Code 724, 725, and 728, and 733 for possible exclusions or restrictions pertaining to the management of the specific waste.

(Source: Amended at 20 Ill. Reg. **11236**, effective

**AUG 01 1996**)

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities
- 2) Code citation: 35 Ill. Adm. Code 724
- 3) Section Numbers: Adopted action:  
724.101 Amended  
724.980 Amended  
724.989 Amended
- 4) Statutory Authority: 415 ILCS 5/22.4 and 27
- 5) Effective date of amendments: August 1, 1996
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? Yes. Although the existing text of Part 724 includes several incorporations by reference, no amendments to those references were necessary. 35 Ill. Adm. Code 720.111 is the centralized listing of all documents incorporated by reference for the purposes of 35 Ill. Adm. Code 702, 703, 704, 705, 720, 721, 722, 723, 724, 725, 726, 728, 730, 733, 738 & 739. The present amendments to Section 720.111 incorporate the updated testing methods of SW-846 for use with Part 724.

8) Date filed in Board's principal office: Order adopted June 20, 1996

9) Notice of proposal published in Illinois Register: February 16, 1996, 20 Ill. Reg. 2960

10) Has JCAR issued a Statement of Objections to these rules? No. Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] provides that Section 5 of the Administrative Procedure Act [5 ILCS 100/5-35 and 5-40] shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

11) Differences between proposal and final version: The following tables summarize the differences between the proposed and final versions of the amendments:

Revisions to the Text of the Proposed Amendments

<u>Section</u>	<u>Correction</u>
724.980(d)(1)	Corrected spelling of "structural"
724.980(d)(2)	Added comma before "explaining"

## POLLUTION CONTROL BOARD

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724.980(d)(3) Corrected spelling of "processes"

- 12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR? Section 22.4(a) of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR. Nevertheless, JCAR did review the regulations and submitted a number of suggested corrections for Board consideration. The Board reviewed the suggestions and accepted most of them.

- 13) Will these amendments replace an emergency amendment currently in effect?  
No

- 14) Are there any other amendments pending on this Part? No

- 15) Summary and purpose of amendments:

A more detailed description is contained in the Board's opinion of June 20, 1996 in R95-20, which Opinion is available from the address below. Section 22.4 of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

The larger R95-20 proceeding, of which the amendments to this Part are one segment, updates 35 Ill. Adm. Code 702, 703, 720, 721, 722, 724, 725, 726, and 728 of the Board's RCRA Subtitle C rules and adds 35 Ill. Adm. Code 733 to correspond with amendments adopted by U.S. EPA that appeared in the Federal Register during the period January 1 through June 30, 1995, with the addition of actions dated July 7, September 29, and November 13, 1995 and June 5, 1996. During the routine update period of January 1 through June 30, 1995, USEPA undertook the following actions:

Federal ActionSummary

Jan. 3, 1995, Technical Corrections to Phase II LDRs  
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Jan. 13, 1995, Update to testing and monitoring methods  
60 Fed. Reg. 3089

Feb. 3, 1995, Response to City of Chicago v. Environmental  
60 Fed. Reg. 6666 Defense Fund decision

Feb. 7, 1995, Determination that additional regulation is  
60 Fed. Reg. 7366 necessary for cement kiln dust

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Feb. 9, 1995, New hazardous waste listings for six carbamate  
60 Fed. Reg. 7824 production wastes; addition of 58 commercial  
chemical product wastes; exemption of certain  
biological treatment sludges

Apr. 4, 1995, Update to testing and monitoring methods  
60 Fed. Reg. 17001

Apr. 4, 1995, Update to CWA analytical methods  
60 Fed. Reg. 17160

Apr. 17, 1995, Corrections to carbamate waste listings  
60 Fed. Reg. 19165

May 11, 1995, Universal Waste Rule  
60 Fed. Reg. 25492

May 12, 1995, Correction to carbamate waste listings  
60 Fed. Reg. 25619

May 19, 1995, Postponement of effective date for tank,  
60 Fed. Reg. 26828 container, and surface impoundment air emissions  
rules

June 13, 1995, Delisting of hazardous waste generated in  
60 Fed. Reg. 31114 Illinois by a Pennsylvania company

June 29, 1995, Deletion of obsolete, redundant, and outdated  
60 Fed. Reg. 33912 RCRA rules

In addition to these principal amendments that occurred during the normal docket update period, the Board has included four additional, later actions that are corrections or relaxations of prior amendments in the preceding RCRA Subtitle C update docket, R95-4/R95-6:

July 7, 1995, Correction to the Subpart CC organic material  
60 Fed. Reg. 35452 emissions standards for tanks, containers and  
surface impoundments

September 29, 1995, Stay of Subpart CC rules as they apply to tanks,  
60 Fed. Reg. 50426 containers, and surface impoundments that contain  
wastes generated in the manufacture of organic  
peroxides

November 13, 1995, Stay of Subpart CC rules in their entirety until  
60 Fed. Reg. 56952 June 6, 1996



## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

June 5, 1996, Stay of Subpart CC rules in their entirety until  
61 Fed. Reg. 28508 October 6, 1996

Further, the Board used this opportunity to include a number of corrective amendments to the existing regulations. These corrections are more fully described below. They are derived from comments by the Joint Committee on Administrative Rules (JCAR) and the Illinois EPA (Agency).

Finally, the Board omitted from consideration two set of federal amendments that occurred during the time-frame of this docket. First, on January 3, 1995, USEPA corrected errors and clarified language in the universal treatment standards adopted on September 19, 1994 as the Phase II LDRs. The Board did not include those amendments in this docket because we dealt with them in docket R95-4/R95-6, when adopting the Phase II rules. Second, on May 19, 1995, USEPA stayed the 40 CFR 264, subpart CC and 265, subpart CC (Subpart CC) regulations governing organic material emissions from tanks, containers, and surface impoundments. USEPA delayed the effective date by six months, until December 6, 1995. This delay was similarly included with the R95-4/R95-6 amendments, so there was no need for the Board to take action at this time. Further, the subsequent federal stay granted on November 13, 1995 and extended on June 5, 1996 made that initial stay of May 19 obsolete.

Specifically, the segment of the amendments involved in Part 724 are based on the federal actions of May 11, September 29, and November 13, 1995 and June 5, 1996. The amendments of May 11, 1995 incorporate provisions dictating the interplay of applicability of the universal waste rules and the generally-applicable hazardous waste management standards. Those of September 29 and November 13, 1995 and June 5, 1996 stay the deadline for compliance with the Subpart CC organic material emissions regulations applicable to tanks, containers, and surface impoundments. The Board has further used this opportunity to make a number of minor, non-substantive amendments to the existing text of the regulations.

16) Information and questions regarding these adopted amendments shall be directed to:

Michael J. McCambridge  
Attorney  
Illinois Pollution Control Board  
100 W. Randolph, Suite 11-500  
Chicago, IL 60601  
(312) 814-6924

Request copies of the Board's opinion and order of June 20, 1996 from Victoria Agyeman, at (312) 814-3620.

The full text of the adopted amendments begins on the next page:

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

## PART 724

STANDARDS FOR OWNERS AND OPERATORS OF  
HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

## SUBPART A: GENERAL PROVISIONS

Purpose, Scope and Applicability  
Relationship to Interim Status Standards

Section  
724.101  
724.103

## SUBPART B: GENERAL FACILITY STANDARDS

Applicability  
Identification Number  
Required Notices  
General Waste Analysis  
Security  
General Inspection Requirements  
Personnel Training  
General Requirements for Ignitable, Reactive or Incompatible Wastes  
Location Standards  
Construction Quality Assurance Program

Section  
724.110  
724.111  
724.112  
724.113  
724.114  
724.115  
724.116  
724.117  
724.118  
724.119

## SUBPART C: PREPAREDNESS AND PREVENTION

Applicability  
Design and Operation of Facility  
Required Equipment  
Testing and Maintenance of Equipment  
Access to Communications or Alarm System  
Required Aisle Space  
Arrangements with Local Authorities

Section  
724.130  
724.131  
724.132  
724.133  
724.134  
724.135  
724.137

## SUBPART D: CONTINGENCY PLAN AND EMERGENCY PROCEDURES

Applicability  
Purpose and Implementation of Contingency Plan  
Content of Contingency Plan  
Copies of Contingency Plan  
Amendment of Contingency Plan

Section  
724.150  
724.151  
724.152  
724.153  
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## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

724.155 Emergency Coordinator  
724.156 Emergency Procedures

## SUBPART E: MANIFEST SYSTEM, RECORDKEEPING AND REPORTING

Section  
724.170 Applicability  
724.171 Use of Manifest System  
724.172 Manifest Discrepancies  
724.173 Operating Record  
724.174 Availability, Retention and Disposition of Records  
724.175 Annual Report  
724.176 Unmanifested Waste Report  
724.177 Additional Reports

## SUBPART F: RELEASES FROM SOLID WASTE MANAGEMENT UNITS

Section  
724.190 Applicability  
724.191 Required Programs  
724.192 Groundwater Protection Standard  
724.193 Hazardous Constituents  
724.194 Concentration Limits  
724.195 Point of Compliance  
724.196 Compliance Period  
724.197 General Groundwater Monitoring Requirements  
724.198 Detection Monitoring Program  
724.199 Compliance Monitoring Program  
724.200 Corrective Action Program  
724.201 Corrective Action for Solid Waste Management Units

## SUBPART G: CLOSURE AND POST-CLOSURE

Section  
724.210 Applicability  
724.211 Closure Performance Standard  
724.212 Closure Plan; Amendment of Plan  
724.213 Closure; Time Allowed For Closure  
724.214 Disposal or Decontamination of Equipment, Structures and Soils  
724.215 Certification of Closure  
724.216 Survey Plat  
724.217 Post-closure Care and Use of Property  
724.218 Post-closure Plan; Amendment of Plan  
724.219 Post-closure Notices  
724.220 Certification of Completion of Post-closure Care

## SUBPART H: FINANCIAL REQUIREMENTS

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Section  
724.240 Applicability  
724.241 Definitions of Terms As Used In This Subpart  
724.242 Cost Estimate for Closure  
724.243 Financial Assurance for Closure  
724.244 Cost Estimate for Post-closure Care  
724.245 Financial Assurance for Post-closure Care  
724.246 Use of a Mechanism for Financial Assurance of Both Closure and Post-closure Care  
724.247 Liability Requirements  
724.248 Incapacity of Owners or Operators, Guarantors or Financial Institutions  
724.251 Wordings of the Instruments

## SUBPART I: USE AND MANAGEMENT OF CONTAINERS

Section  
724.270 Applicability  
724.271 Condition of Containers  
724.272 Compatibility of Waste With Container  
724.273 Management of Containers  
724.274 Inspections  
724.275 Containment  
724.276 Special Requirements for Ignitable or Reactive Waste  
724.277 Special Requirements for Incompatible Wastes  
724.278 Closure  
724.279 Air Emission Standards

## SUBPART J: TANK SYSTEMS

Section  
724.290 Applicability  
724.291 Assessment of Existing Tank System's Integrity  
724.292 Design and Installation of New Tank Systems or Components  
724.293 Containment and Detection of Releases  
724.294 General Operating Requirements  
724.295 Inspections  
724.296 Response to Leaks or Spills and Disposition of Leaking or Unit-For-use Tank Systems  
724.297 Closure and Post-Closure Care  
724.298 Special Requirements for Ignitable or Reactive Waste  
724.299 Special Requirements for Incompatible Wastes  
724.300 Air Emission Standards

## SUBPART K: SURFACE IMPOUNDMENTS

Section  
724.320 Applicability

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

724.321 Design and Operating Requirements  
 724.322 Action Leakage Rate  
 724.324 Response Actions  
 724.326 Monitoring and Inspection  
 724.327 Emergency Repairs; Contingency Plans  
 724.328 Closure and Post-closure Care  
 724.329 Special Requirements for Ignitable or Reactive Waste  
 724.329 Special Requirements for Incompatible Wastes  
 724.330 Special Requirements for Hazardous Wastes F020, F021, F022, F023,  
 724.331 F026 and F027  
 724.332 Air Emission Standards

## SUBPART L: WASTE PILES

Section  
 724.350 Applicability  
 724.351 Design and Operating Requirements  
 724.352 Action Leakage Rate  
 724.353 Response Action Plan  
 724.354 Monitoring and Inspection  
 724.356 Special Requirements for Ignitable or Reactive Waste  
 724.357 Special Requirements for Incompatible Wastes  
 724.358 Closure and Post-closure Care  
 724.359 Special Requirements for Hazardous Wastes F020, F021, F022, F023,  
 F026 and F027

## SUBPART M: LAND TREATMENT

Section  
 724.370 Applicability  
 724.371 Treatment Program  
 724.372 Treatment Demonstration  
 724.373 Design and Operating Requirements  
 724.376 Food-chain Crops  
 724.378 Unsaturated Zone Monitoring  
 724.379 Recordkeeping  
 724.380 Closure and Post-closure Care  
 724.381 Special Requirements for Ignitable or Reactive Waste  
 724.382 Special Requirements for Incompatible Wastes  
 724.383 Special Requirements for Hazardous Wastes F020, F021, F022, F023,  
 F026 and F027

## SUBPART N: LANDFILLS

Section  
 724.400 Applicability  
 724.401 Design and Operating Requirements  
 724.402 Action Leakage Rate

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

724.403 Monitoring and Inspection  
 724.404 Response Actions  
 724.409 Surveying and Recordkeeping  
 724.410 Closure and Post-closure Care  
 724.412 Special Requirements for Ignitable or Reactive Waste  
 724.413 Special Requirements for Incompatible Wastes  
 724.414 Special Requirements for Bulk and Containerized Liquids  
 724.415 Special Requirements for Containers  
 724.416 Disposal of Small Containers of Hazardous Waste in Overpacked Drums  
 (Lab Packs)  
 724.417 Special Requirements for Hazardous Wastes F020, F021, F022, F023,  
 F026 and F027

## SUBPART O: INCINERATORS

Section  
 724.440 Applicability  
 724.441 Waste Analysis  
 724.442 Principal Organic Hazardous Constituents (POHCs)  
 724.443 Performance Standards  
 724.444 Hazardous Waste Incinerator Permits  
 724.445 Operating Requirements  
 724.447 Monitoring and Inspections  
 724.451 Closure

## SUBPART S: CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS

Section  
 724.652 Corrective Action Management Units  
 724.653 Temporary Units

## SUBPART W: DRIP PADS

Section  
 724.670 Applicability  
 724.671 Assessment of existing drip pad integrity  
 724.672 Design and installation of new drip pads  
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 724.674 Inspections  
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## SUBPART X: MISCELLANEOUS UNITS

Section  
 724.700 Applicability  
 724.701 Environmental Performance Standards  
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 Action



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## 724.703 Post-closure Care

## SUBPART AA: AIR EMISSION STANDARDS FOR PROCESS VENTS

## Section

724.930 Applicability  
 724.931 Definitions  
 724.932 Standards: Process Vents  
 724.933 Standards: Closed-vent Systems and Control Devices  
 724.934 Test methods and procedures  
 724.935 Recordkeeping requirements  
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## SUBPART BB: AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS

## Section

724.950 Applicability  
 724.951 Definitions  
 724.952 Standards: Pumps in Light Liquid Service  
 724.953 Standards: Compressors  
 724.954 Standards: Pressure Relief Devices in Gas/Vapor Service  
 724.955 Standards: Sampling Connecting Systems  
 724.956 Standards: Open-ended Valves or Lines  
 724.957 Standards: Valves in Gas/Vapor or Light Liquid Service  
 724.958 Standards: Pumps, Valves, Pressure Relief Devices and Other Connectors

724.959 Standards: Delay of Repair  
 724.960 Standards: Closed-vent Systems and Control Devices  
 724.961 Alternative Percentage Standard for Valves  
 724.962 Skip Period Alternative for Valves  
 724.963 Test Methods and Procedures  
 724.964 Recordkeeping Requirements  
 724.965 Reporting Requirements

## SUBPART CC: AIR EMISSION STANDARDS FOR TANKS, SURFACE IMPOUNDMENTS, AND CONTAINERS

## Section

724.980 Applicability  
 724.981 Definitions  
 724.982 Standards: General  
 724.983 Waste Determination Procedures  
 724.984 Standards: Tanks  
 724.985 Standards: Surface Impoundments  
 724.986 Standards: Containers  
 724.987 Standards: Closed-vent Systems and Control Devices  
 724.988 Inspection and Monitoring Requirements  
 724.989 Recordkeeping Requirements  
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## 724.991 Alternative Control Requirements for Tanks

## SUBPART DD: CONTAINMENT BUILDINGS

## Section

724.1100 Applicability  
 724.1101 Design and operating standards  
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## APPENDIX A

Recordkeeping Instructions

## APPENDIX B

EPA Report Form and Instructions (Repealed)

## APPENDIX D

Cochran's Approximation to the Behrens-Fisher Student's T-Test

## APPENDIX E

Examples of Potentially Incompatible Waste

## APPENDIX I

Groundwater Monitoring List

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R82-19, 53 PCB 131, at 7 Ill. Reg. 14059, effective October 12, 1983; amended in R84-9 at 9 Ill. Reg. 11364, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 1136, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 14119, effective August 12, 1986; amended in R86-28 at 11 Ill. Reg. 6138, effective March 24, 1987; amended in R86-28 at 11 Ill. Reg. 8684, effective April 21, 1987; amended in R86-46 at 11 Ill. Reg. 13577, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19397, effective November 12, 1987; amended in R87-39 at 12 Ill. Reg. 13135, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 458, effective December 28, 1988; amended in R89-1 at 13 Ill. Reg. 18527, effective November 13, 1989; amended in R90-2 at 14 Ill. Reg. 14511, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16658, effective September 25, 1990; amended in R90-11 at 15 Ill. Reg. 9654, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14572, effective October 1, 1991; amended in R91-13 at 16 Ill. Reg. 9833, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17702, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5806, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20830, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6973, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12487, effective July 29, 1994; amended in R94-17 at 18 Ill. Reg. 17601, effective November 23, 1994; amended in R95-6 at 19 Ill. Reg. 11344, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. 11344, effective AUG 01 1996.

NOTE: In this Part, superscript numbers or letters are denoted by parentheses; subscript are denoted by brackets.

## SUBPART A: GENERAL PROVISIONS

## Section 724.101 Purpose, Scope and Applicability

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- a) The purpose of this Part is to establish minimum standards that define the acceptable management of hazardous waste.
- b) The standards in this Part apply to owners and operators of all facilities that treat, store, or dispose of hazardous waste, except as specifically provided otherwise in this Part or 35 Ill. Adm. Code 721.
- c) The requirements of this Part apply to a person disposing of hazardous waste by means of ocean disposal subject to a permit issued under the Marine Protection, Research and Sanctuaries Act (16 U.S.C. 1431-1434, 33 U.S.C. 1401) only to the extent they are included in a RCRA permit by rule granted to such a person under 35 Ill. Adm. Code 703.141. A "RCRA permit" is a permit required by Section 21(f) of the Environmental Protection Act and 35 Ill. Adm. Code 703.121.
- BOARD NOTE: This Part does apply to the treatment or storage of hazardous waste before it is loaded onto an ocean vessel for incineration or disposal at sea.
- d) The requirements of this Part apply to a person disposing of hazardous waste by means of underground injection subject to a permit issued by the Agency pursuant to Section 12(g) of the Environmental Protection Act only to the extent they are required by 35 Ill. Adm. Code 704.Subpart F.

BOARD NOTE: This Part does apply to the above-ground treatment or storage of hazardous waste before it is injected underground.

- e) The requirements of this Part apply to the owner or operator of a POTW (publicly owned treatment works) that treats, stores, or disposes of hazardous waste only to the extent included in a RCRA permit by rule granted to such a person under 35 Ill. Adm. Code 703.141.
- f) This subsection corresponds with 40 CFR 264.1(f), which provides that the federal regulations do not apply to T/S/D activities in authorized states, except under limited, enumerated circumstances. This statement maintains structural consistency with USEPA 8-57-BPA rules.
- g) The requirements of this Part do not apply to:

- 1) The owner or operator of a facility permitted by the Agency under Section 21 of the Environmental Protection Act to manage municipal or industrial solid waste, if the only hazardous waste the facility treats, stores, or disposes of is excluded from regulation under this Part by 35 Ill. Adm. Code 721.105.

BOARD NOTE: The owner or operator may be subject to 35 Ill. Adm. Code 807 and may have to have a supplemental permit under 35 Ill. Adm. Code 807.210.

- 2) The owner or operator of a facility managing recyclable materials described in 35 Ill. Adm. Code 721.106(a)(2) through (a)(4) (except to the extent that requirements of this Part are referred to in 35 Ill. Adm. Code 726.Subparts C, F, G, or H or 35 Ill. Adm. Code 739).

- 3) A generator accumulating waste on-site in compliance with 35 Ill. Adm. Code 722.134.

- 4) A farmer disposing of waste pesticides from the farmer's own use in compliance with 35 Ill. Adm. Code 722.170.

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- 5) The owner or operator of a totally enclosed treatment facility, as defined in 35 Ill. Adm. Code 720.110.
- 6) The owner or operator of an elementary neutralization unit or a wastewater treatment unit, as defined in 35 Ill. Adm. Code 720.110, provided that if the owner or operator is diluting hazardous ignitable (D001) wastes (other than the D001 High TOC Subcategory defined in 35 Ill. Adm. Code 728.Table 7) or reactive (D003) waste to remove the characteristic before land disposal, the owner or operator must comply with the requirements set out in Section 724.117(b).
- 7) This subsection corresponds with 40 CFR 264.1(g)(7), reserved by USEPA. This statement maintains structural consistency with USEPA rules.

## 8) Immediate response:

- A) Except as provided in subsection (g)(8)(B) below, a person engaged in treatment or containment activities during immediate response to any of the following situations:

- i) A discharge of a hazardous waste;
  - ii) An imminent and substantial threat of a discharge of hazardous waste;
  - iii) A discharge of a material that becomes a hazardous waste when discharged.
- B) An owner or operator of a facility otherwise regulated by this Part must comply with all applicable requirements of 724.Subparts C and D.

- C) Any person that is covered by subsection (g)(8)(A) above and that continues or initiates hazardous waste treatment or containment activities after the immediate response is over is subject to all applicable requirements of this Part and 35 Ill. Adm. Code 702, 703, and 705 for those activities.

9) A transporter storing manifested shipments of hazardous waste in containers meeting the requirements of 35 Ill. Adm. Code 722.130 at a transfer facility for a period of ten days or less.

10) The addition of absorbent materials to waste in a container (as defined in 35 Ill. Adm. Code 720) or the addition of waste to absorbent material in a container, provided these actions occur at the time waste is first placed in the container, and Sections 724.117(b), 724.271, and 724.272 are complied with.

11) A universal waste handler or universal waste transporter (as defined in 35 Ill. Adm. Code 720.110) that handles any of the wastes listed below is subject to regulation under 35 Ill. Adm. Code 733 when handling the following universal wastes:

- A) Batteries, as described in 35 Ill. Adm. Code 733.102;
- B) Pesticides, as described in 35 Ill. Adm. Code 733.103; and
- C) Thermostats, as described in 35 Ill. Adm. Code 733.104.

- h) This Part applies to owners and operators of facilities that treat, store, or dispose of hazardous wastes referred to in 35 Ill. Adm. Code 728.



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1995, the requirements of this Subpart shall be incorporated into the permit when the permit is reissued, renewed, or modified in accordance with the requirements of 35 Ill. Adm. Code 703 and 705. Until such date when the owner and operator receives a final permit incorporating the requirements of this Subpart, the owner and operator is subject to the requirements of 35 Ill. Adm. Code 725 Subpart CC.

d) The requirements of this Subpart, except for the recordkeeping requirements specified in Section 724.989(i) are stayed for a tank or container used for the management of hazardous waste generated by organic peroxide manufacturing and its associated laboratory operations, when the owner or operator of the unit meets all of the following conditions:

1) The owner or operator identifies that the tank or container receives hazardous waste generated by an organic peroxide manufacturing process producing more than one functional family of organic peroxides or multiple organic peroxides within one functional family, that one or more of these organic peroxides could potentially undergo self-accelerating thermal decomposition at or below ambient temperatures, and that organic peroxides are the predominant products manufactured by the process. For the purposes of this subsection, "organic peroxide" means an organic compound that contains the bivalent -O-O- structure and which may be considered to be a structural derivative of hydrogen peroxide where one or both of the hydrogen atoms has been replaced by an organic radical.

2) The owner or operator prepares documentation, in accordance with Section 724.989(i), explaining why an undue safety hazard would be created if air emission controls specified in Sections 724.984 through 724.987 are installed and operated on the tanks and containers used at the facility to manage the hazardous waste generated by the organic peroxide manufacturing process or processes meeting the conditions of subsection (d)(1) above.

3) The owner or operator notifies the Agency in writing that hazardous waste generated by an organic peroxide manufacturing process or processes meeting the conditions of subsection (d)(1) above are managed at the facility in tanks or containers meeting the conditions of subsection (d)(2) above. The notification must state the name and address of the facility and be signed and dated by an authorized representative of the facility owner or operator.

(Source: AUG 01 1996 20 Ill. Reg. 11244, effective \_\_\_\_\_)

## Section 724.989 Recordkeeping Requirements

a) Each owner or operator of a facility subject to requirements in this Subpart shall record and maintain the following information as

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(Source: Amended at 20 Ill. Reg. 11244, effective AUG 01 1996)

## SUBPART CC: AIR EMISSION STANDARDS FOR TANKS, SURFACE IMPOUNDMENTS, AND CONTAINERS

## Section 724.980 Applicability

a) The requirements of this Subpart apply, effective October 6, 1996 December-67-1995, to owners and operators of all facilities that treat, store, or dispose of hazardous waste in tanks, surface impoundments, or containers subject to 724-Subpart I, J, or K, except as Section 724.101 and subsection (b) below provide otherwise.

BOARD NOTE: USEPA 8-S-BPA adopted these regulations at 59 Fed. Reg. 62896 (Dec. 6, 1994), effective June 6, 1995. At 60 Fed. Reg. 26828 (May 19, 1995) and 60 Fed. Reg. 56952 (Nov. 13, 1995) and 61 Fed. Reg. 28508 (June 5, 1996), USEPA 8-S-BPA delayed the effective date until October 6, 1996 December-67-1995. If action by USEPA 8-S-BPA or a decision of a federal court changes the effectiveness of these regulations, the Board does not intend that the 724-Subpart CC rules be enforceable to the extent that they become more stringent than the federal regulations upon which they are based.

b) The requirements of this Subpart do not apply to the following waste management units at the facility:

1) A waste management unit that holds hazardous waste placed in the unit before October 6, 1996 December-67-1995, and in which no hazardous waste is added to the unit on or after this date.

2) A container that has a design capacity less than or equal to 0.1 m(3) (3.5 ft(3) or 26.4 gal).

3) A tank in which an owner or operator has stopped adding hazardous waste and the owner or operator has begun implementing or completed closure pursuant to an approved closure plan.

4) A surface impoundment in which an owner or operator has stopped adding hazardous waste (except to implement an approved closure plan) and the owner or operator has begun implementing or completed closure pursuant to an approved closure plan.

5) A waste management unit that is used solely for on-site treatment or storage of hazardous waste that is generated as the result of implementing remedial activities required pursuant to the Act or Board regulations or under the corrective action authorities of RCRA sections 3004(u), 3004(v) or 3008(h); CERCLA authorities; or similar federal or state authorities.

6) A waste management unit that is used solely for the management of radioactive mixed waste in accordance with all applicable regulations under the authority of the Atomic Energy Act (42 U.S.C. 2011 et seq.) and the Nuclear Waste Policy Act.

c) For the owner and operator of a facility subject to this Subpart and who received a final RCRA permit prior to October 6, 1996 December-67



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## applicable:

- 1) Documentation for each cover installed on a tank in accordance with the requirements of Section 724.984 (b)(2) or (b)(3) that includes information prepared by the owner or operator or provided by the cover manufacturer or vendor describing the cover design, and certification by the owner or operator that the cover meets the applicable design specifications as listed in 35 Ill. Adm. Code 725.991(c).
- 2) Documentation for each floating membrane cover installed on a surface impoundment in accordance with the requirements of Section 724.985(c) that includes information prepared by the owner or operator or provided by the cover manufacturer or vendor describing the cover design, and certification by the owner or operator that the cover meets the specifications listed in 35 Ill. Adm. Code 725.986(e).
- 3) Documentation for each enclosure used to control air emissions from containers in accordance with the requirements of Section 724.986(b)(2)(A) that includes information prepared by the owner or operator or provided by the manufacturer or vendor describing the enclosure design, and certification by the owner or operator that the enclosure meets the specifications listed in Section 724.986(b)(2)(B).
- 4) Documentation for each closed-vent system and control device installed in accordance with the requirements of Section 724.987 that includes:
  - A) Certification that is signed and dated by the owner or operator stating that the control device is designed to operate at the performance level documented by a design analysis as specified in subsection (a)(4)(B) below or by performance tests as specified in subsection (a)(4)(C) below when the tank, surface impoundment, or container is or would be operating at capacity or the highest level reasonably expected to occur.
  - B) If a design analysis is used, then design documentation as specified in Section 724.935(b)(4). The documentation shall include information prepared by the owner or operator or provided by the control device manufacturer or vendor that describes the control device design in accordance with Section 724.935(b)(4)(C) and certification by the owner or operator that the control equipment meets the applicable specifications.
  - C) If performance tests are used, then a performance test plan as specified in Section 724.935(b)(3) and all test results.
  - D) Information as required by Section 724.935(c)(1) and (c)(2).
- 5) Records for all Method 27 tests performed by the owner or operator for each container used to meet the requirements of Section 724.986(b)(1)(C).
- 6) Records for all visual inspections conducted in accordance with

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## the requirements of Section 724.988.

- 7) Records for all monitoring for detectable organic emissions conducted in accordance with the requirements of Section 724.988.
- 8) Records of the date of each attempt to repair a leak, repair methods applied, and the date of successful repair.
- 9) Records for all continuous monitoring conducted in accordance with the requirements of Section 724.988.
- 10) Records of the management of carbon removed from a carbon adsorption system conducted in accordance with Section 724.987(c)(3)(B).
- 11) Records for all inspections of each cover installed on a tank in accordance with the requirements of Section 724.984(b)(2) or (b)(3) that includes information as listed in 35 Ill. Adm. Code 725.991(c).
- b) An owner or operator electing to use air emission controls for a tank in accordance with the conditions specified in Section 724.984(c) shall record the following information:
  - 1) Date and time each waste sample is collected for direct measurement of maximum organic vapor pressure in accordance with Section 724.983(c).
  - 2) Results of each determination of the maximum organic vapor pressure of the waste in a tank performed in accordance with Section 724.983(c).
  - 3) Records specifying the tank dimensions and design capacity.
- c) An owner or operator electing to use air emission controls for a tank in accordance with the requirements of Section 724.991 shall record the information required by Section 724.991(c).
- d) An owner or operator electing not to use air emission controls for a particular tank, surface impoundment, or container subject to this Subpart in accordance with the conditions specified in Section 724.982(c) shall record the information used by the owner or operator for each waste determination (e.g., test results, measurements, calculations, and other documentation) in the facility operating log. If analysis results for waste samples are used for the waste determination, then the owner or operator shall record the date, time, and location that each waste sample is collected in accordance with applicable requirements of Section 724.983.
- e) An owner or operator electing to comply with requirements in accordance with Section 724.982(c)(2)(E) or Section 724.982(c)(2)(F) shall record the identification number for the incinerator, boiler, or industrial furnace in which the hazardous waste is treated.
- f) An owner or operator designating a cover as unsafe to inspect and monitor pursuant to 35 Ill. Adm. Code 725.989(f)(5) or difficult to inspect and monitor pursuant to 35 Ill. Adm. Code 725.989(f)(6) shall record in a log that is kept in the facility operating record the following information:
  - 1) A list of identification numbers for tanks with covers that are designated as unsafe to inspect and monitor in accordance with

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the requirements of 35 Ill. Adm. Code 725.989(f)(5), an explanation for each cover stating why the cover is unsafe to inspect and monitor, and the plan and schedule for inspecting and monitoring each cover.

- 2) A list of identification numbers for tanks with covers that are designated as difficult to inspect and monitor in accordance with the requirements of 35 Ill. Adm. Code 725.989(f)(6), an explanation for each cover stating why the cover is difficult to inspect and monitor, and the plan and schedule for inspecting and monitoring each cover.

- g) All records required by subsections (a) through (f) above, except as required in subsections (a)(1) through (a)(4), shall be maintained in the operating record for a minimum of 3 years. All records required by subsections (a)(1) through (a)(4) above shall be maintained in the operating record until the air emission control equipment is replaced or otherwise no longer in service.

- h) The owner or operator of a facility that is subject to this Subpart and to the control device standards in 40 CFR 60, Subpart VV or 40 CFR 61, Subpart V, incorporated by reference in 35 Ill. Adm. Code 720.111, may elect to demonstrate compliance with the applicable Sections of this Subpart by documentation either pursuant to this Subpart, or pursuant to the provisions of 40 CFR 60, Subpart VV or 40 CFR Part, Subpart V, to the extent that the documentation required by 40 CFR 60 or 61 duplicates the documentation required by this Section.

- i) For each tank or container not using air emission controls specified in Sections 724.984 through 724.987 in accordance with the conditions specified in Section 724.980(d), the owner or operator shall record and maintain the following information:

- 1) A list of the individual organic peroxide compounds manufactured at the facility that meet the conditions specified in Section 724.980(d)(1).

- 2) A description of how the hazardous waste containing the organic peroxide compounds identified pursuant to subsection (i)(1) are managed at the facility in tanks and containers. This description must include the following information:

- A) For the tanks used at the facility to manage this hazardous waste, sufficient information must be provided to describe each tank: a facility identification number for the tank, the purpose and placement of this tank in the management train of this hazardous waste, and the procedures used to ultimately dispose of the hazardous waste managed in the tanks.

- B) For containers used at the facility to manage this hazardous waste, sufficient information must be provided to describe each tank: a facility identification number for the container or group of containers, the purpose and placement of this container or group of containers in the management train of this hazardous waste, and the procedures used to

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ultimately dispose of the hazardous waste managed in the containers.

- 3) An explanation of why managing the hazardous waste containing the organic peroxide compounds identified pursuant to subsection (i)(1) above in the tanks or containers identified pursuant to subsection (i)(2) above would create an undue safety hazard if the air emission controls specified in Sections 724.984 through 724.987 were installed and operated on these waste management units. This explanation must include the following information:

- A) For tanks used at the facility to manage this hazardous waste, sufficient information must be provided to explain: how use of the required air emission controls on the tanks would affect the tank design features and facility operating procedures currently used to prevent an undue safety hazard during management of this hazardous waste in the tanks; and why installation of safety devices on the required air emission controls, as allowed under Section 724.984(g), would not address those situations in which evacuation of tanks equipped with these air emission controls is necessary and consistent with good engineering and safety practices for handling organic peroxides.

- B) For containers used at the facility to manage this hazardous waste, sufficient information must be provided to explain: how use of the required air emission controls on the tanks would affect the container design features and handling procedures currently used to prevent an undue safety hazard during management of this hazardous waste in the containers; and why installation of safety devices on the required air emission controls, as allowed under Section 724.986(d), would not address those situations in which evacuation of containers equipped with these air emission controls is necessary and consistent with good engineering and safety practices for handling organic peroxides.

(Source: Amended at 20 Ill. Reg. effective

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- 1) Heading of the Part: Standards for the Management of Specific Hazardous Waste and Specific Types of Hazardous Waste Management Facilities
- 2) Code citation: 35 Ill. Adm. Code 726
- 3) Section numbers:  
726.180 Adopted action:  
726.203 Amended  
726.204 Amended
- 4) Statutory authority: 415 ILCS 5/22.4 and 27
- 5) Effective date of amendments: August 1, 1996
- 6) Does this rulemaking contain an automatic repeal date?: No
- 7) Do these amendments contain incorporations by reference? No. Although the existing text of Part 726 includes incorporations by reference, the present amendments do not affect them.
- 8) Date filed in Board's principal office: Order adopted June 20, 1996.
- 9) Notice of proposal published in Illinois Register: February 16, 1996, 20 Ill. Reg. 2980.

10) Has JCAR issued a Statement of Objections to these rules? No. Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] provides that Section 5 of the Administrative Procedure Act [5 ILCS 100/5-35 and 5-40] shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

11) Differences between proposal and final version: The following tables summarize the differences between the proposed and final versions of the amendments:

## Revisions to the Text of the Proposed Amendments

## Section Correction

726.180(a) Added comma before "or 705"

726.180(b)(1) Changed end punctuation

726.180(c) Added subsection

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- 726.203(c)(1)(B)(i),  
(c)(1)(B)(iii), (c)(1)(K)(ii),  
(c)(2)(B)(v), (c)(2)(B)(vi),  
(c)(4)(A)(vi), (c)(4)(B)(i),  
(c)(4)(D)(i) & (j)(1)(B)
- Changed end punctuation, adding "and" where appropriate
- 726.203(c)(4)(D)
- Changed "either" to "one"
- 726.203(c)(7)(A)
- Deleted "either"
- 12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR? Section 22.4(a) of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR. Nevertheless, JCAR did review the regulations and submitted a number of suggested corrections for Board consideration. The Board reviewed the suggestions and accepted most of them.
- 13) Will these amendments replace emergency amendments currently in effect?  
No
- 14) Are there any other amendments pending on this Part? No
- 15) Summary and purpose of amendments:

A more detailed description is contained in the Board's opinion of June 20, 1996 in R95-20, which Opinion is available from the address below. Section 22.4 of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

The larger R95-20 proceeding, of which the amendments to this Part are one segment, updates 35 Ill. Adm. Code 702, 703, 720, 721, 722, 724, 725, 726, and 728 of the Board's RCRA Subtitle C rules and adds 35 Ill. Adm. Code 733 to correspond with amendments adopted by U.S. EPA that appeared in the Federal Register during the period January 1 through June 30, 1995, with the addition of actions dated July 7, September 29, and November 13, 1995 and June 5, 1996. During the routine update period of January 1 through June 30, 1995, USEPA undertook the following actions:

## Federal Action

## Summary

Jan. 3, 1995,  
60 Fed. Reg. 242

Technical Corrections to Phase II LDRs



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- Jan. 13, 1995,  
60 Fed. Reg. 3089  
Update to testing and monitoring methods
- Feb. 3, 1995,  
60 Fed. Reg. 6666  
Response to City of Chicago v. Environmental Defense Fund decision
- Feb. 7, 1995,  
60 Fed. Reg. 7366  
Determination that additional regulation is necessary for cement kiln dust
- Feb. 9, 1995,  
60 Fed. Reg. 7824  
New hazardous waste listings for six carbamate production wastes; addition of 58 commercial chemical product wastes; exemption of certain biological treatment sludges
- Apr. 4, 1995,  
60 Fed. Reg. 17001  
Update to testing and monitoring methods
- Apr. 4, 1995,  
60 Fed. Reg. 17160  
Update to CWA analytical methods
- Apr. 17, 1995,  
60 Fed. Reg. 19165  
Corrections to carbamate waste listings
- May 11, 1995,  
60 Fed. Reg. 25492  
Universal Waste Rule
- May 12, 1995,  
60 Fed. Reg. 25619  
Correction to carbamate waste listings
- May 19, 1995,  
60 Fed. Reg. 26828  
Postponement of effective date for tank, container, and surface impoundment air emissions rules
- June 13, 1995,  
60 Fed. Reg. 31114  
Delisting of hazardous waste generated in Illinois by a Pennsylvania company
- June 29, 1995,  
60 Fed. Reg. 33912  
Deletion of obsolete, redundant, and outdated RCRA rules
- In addition to these principal amendments that occurred during the normal docket update period, the Board has included four additional, later actions that are corrections or relaxations of prior amendments in the preceding RCRA Subtitle C update docket, R95-4/R95-6:
- July 7, 1995,  
60 Fed. Reg. 35452  
Correction to the Subpart CC organic material emissions standards for tanks, containers and surface impoundments

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- September 29, 1995,  
60 Fed. Reg. 50426  
Stay of Subpart CC rules as they apply to tanks, containers, and surface impoundments that contain wastes generated in the manufacture of organic peroxides
- November 13, 1995,  
60 Fed. Reg. 56952  
Stay of Subpart CC rules in their entirety until June 6, 1996
- June 5, 1996,  
61 Fed. Reg. 28508  
Stay of Subpart CC rules in their entirety until October 6, 1996
- Further, the Board used this opportunity to include a number of corrective amendments to the existing regulations. These corrections are more fully described below. They are derived from comments by the Joint Committee on Administrative Rules (JCAR) and the Illinois EPA (Agency).
- Finally, the Board omitted from consideration two set of federal amendments that occurred during the time-frame of this docket. First, on **January 3, 1995**, USEPA corrected errors and clarified language in the universal treatment standards adopted on September 19, 1994 as the Phase II LDRs. The Board did not include those amendments in this docket because we dealt with them in docket R95-4/R95-6, when adopting the Phase II rules. Second, on **May 19, 1995**, USEPA stayed implementation of the 40 CFR 264, subpart CC and 265, subpart CC (Subpart CC) regulations governing organic material emissions from tanks, containers, and surface impoundments. USEPA delayed the effective date by six months, until December 6, 1995. This delay was similarly included with the R95-4/R95-6 amendments, so there was no need for the Board to take action at this time. Further, the subsequent federal stay granted on November 13, 1995 and extended on June 5, 1996 made that initial stay of May 19 obsolete.
- Specifically, the segment of the amendments involved in Part 726 are based on the federal actions of May 11 and June 29, 1995. The May 11 action was the adoption of the universal waste rule, and the amendments to Part 726 state the applicability of 726-Subpart G, the RCRA notification requirements, and permitting requirements to the storage of spent batteries that are destined for regeneration. The amendments of June 29 are based on the federal deletion of obsolete, redundant, and outdated provisions. Specifically, USEPA deleted provisions relating to alternative hydrocarbon emission limitation provisions from the interim standards for hazardous waste burners. The Board has further used this opportunity to make a number of minor, non-substantive amendments to the existing text of the regulations.

16) Information and questions regarding this adopted amendments shall be directed to:

Michael J. McCambridge

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Attorney  
Illinois Pollution Control Board  
100 W. Randolph, Ste. 11-500  
Chicago, IL 60601  
312/814-6924

Request copies of the Board's opinion and order of June 20, 1996 from  
Victoria Agveman, at 312/814-3620.

The full text of the adopted amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE G: WASTE DISPOSAL  
CHAPTER I: POLLUTION CONTROL BOARD  
SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

## PART 726

STANDARDS FOR THE MANAGEMENT OF  
SPECIFIC HAZARDOUS WASTE AND SPECIFIC TYPES  
OF HAZARDOUS WASTE MANAGEMENT FACILITIES

SUBPART C: RECYCLABLE MATERIALS USED IN A  
MANNER CONSTITUTING DISPOSAL

Section  
726.120  
726.121  
  
726.122  
  
726.123

## Applicability

Standards applicable to generators and transporters of materials used in a manner that constitutes disposal  
Standards applicable to storers, who are not the ultimate users, of materials that are to be used in a manner that constitutes disposal  
Standards Applicable to Users of Materials that are Used in a Manner that Constitutes Disposal

SUBPART D: HAZARDOUS WASTE BURNED FOR ENERGY RECOVERY

Section  
726.130  
726.131  
726.132  
726.133  
  
726.134  
726.135  
726.136

## Applicability (Repealed)

Prohibitions (Repealed)  
Standards applicable to generators of hazardous waste fuel (Repealed)  
Standards applicable to transporters of hazardous waste fuel (Repealed)  
Standards applicable to marketers of hazardous waste fuel (Repealed)  
Standards applicable to burners of hazardous waste fuel (Repealed)  
Conditional exemption for spent materials and by-products exhibiting a characteristic of hazardous waste (Repealed)

SUBPART E: USED OIL BURNED FOR ENERGY RECOVERY (Repealed)

Section  
726.140  
726.141  
726.142  
  
726.143  
  
726.144

## Applicability (Repealed)

Prohibitions (Repealed)  
Standards applicable to generators of used oil burned for energy recovery (Repealed)  
Standards applicable to marketers of used oil burned for energy recovery (Repealed)  
Standards applicable to burners of used oil burned for energy recovery (Repealed)

SUBPART F: RECYCLABLE MATERIALS UTILIZED FOR

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## PRECIOUS METAL RECOVERY

Section  
726.170

## Applicability and requirements

SUBPART G: SPENT LEAD-ACID BATTERIES  
BEING RECLAIMEDSection  
726.180

## Applicability and requirements

SUBPART H: HAZARDOUS WASTE BURNED IN BOILERS  
AND INDUSTRIAL FURNACESSection  
726.200

## Applicability

## Management prior to Burning

## Permit standards for Burners

## Interim status standards for Burners

## Standards to control Organic Emissions

## Standards to control PM

## Standards to control Metals Emissions

## Standards to control HCl and Chlorine Gas Emissions

## Small quantity On-site Burner Exemption

## Low risk waste Exemption

## Waiver of DRE trial burn for Boilers

## Standards for direct Transfer

## Regulation of Residues

## Extensions of Time

## APPENDIX A Tier I and Tier II Feed Rate and Emissions Screening Limits for Metals

## APPENDIX B Tier I Feed Rate Screening Limits for Total Chlorine

## APPENDIX C Tier II Emission Rate Screening Limits for Free Chlorine and Hydrogen Chloride

## APPENDIX D Reference Air Concentrations

## APPENDIX E Risk Specific Doses

## APPENDIX F Stack Plume Rise

## APPENDIX G Health-Based Limits for Exclusion of Waste-Derived Residues

## APPENDIX H Potential PTCs for Determination of Exclusion of Waste-Derived Residues

## APPENDIX I Methods Manual for Compliance with BIF Regulations

## APPENDIX J Guideline on Air Quality Models

## APPENDIX K Lead-Bearing Materials That May be Processed in Exempt Lead Smelters

## APPENDIX L Nickel or Chromium-Bearing Materials that may be Processed in Exempt Nickel-Chromium Recovery Furnaces

## APPENDIX M Mercury-Bearing Wastes That May Be Processed in Exempt Mercury

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## Recovery Units

## TABLE A Exempt Quantities for Small Quantity Burner Exemption

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R85-22 at 10 Ill. Reg. 1162, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 14156, effective August 12, 1986; amended in R87-26 at 12 Ill. Reg. 2900, effective January 15, 1988; amended in R89-1 at 13 Ill. Reg. 18606, effective November 13, 1989; amended in R90-2 at 14 Ill. Reg. 14533, effective August 22, 1990; amended in R90-11 at 15 Ill. Reg. 9727, effective June 17, 1991; amended in R91-13 at 16 Ill. Reg. 9858, effective June 9, 1992; amended in R92-10 at 17 Ill. Reg. 5865, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20904, effective November 22, 1993; amended in R94-7 at 18 Ill. Reg. 12500, effective July 29, 1994; amended in R95-6 at 19 Ill. Reg. 10006, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. 11263, effective AUG 01 1996.

SUBPART G: SPENT LEAD-ACID BATTERIES  
BEING RECLAIMED

## Section 726.180 Applicability and requirements

- a) The regulations of this Subpart apply to a person that reclaims (including regeneration) persons---who---reclaim spent lead-acid batteries that are recyclable materials ("spent batteries"). A person that generates, transports, Persons---who---generate---transport or collects collect spent batteries or that stores who-store spent batteries (other than spent batteries that are to be regenerated), but one that does do not reclaim the batteries, is them-are not subject to regulation under 35 Ill. Adm. Code 722 through 726 or 35 Ill. Adm. Code 702, 703, or 705, and also is are not subject to the requirements of Section 3010 of the Resource Conservation and Recovery Act. Owners or operators of facilities that store spent batteries before reclaiming the batteries (other than spent batteries that are to be regenerated) them are subject to the following requirements.

- 1) Notification requirements under Section 3010 of the Resource Conservation and Recovery Act;—
- 2) All applicable provisions in 35 Ill. Adm. Code 724.Subparts A, B (but not 35 Ill. Adm. Code 724.113 (waste analysis)), C, D, E (but not 35 Ill. Adm. Code 724.171 or 724.172 dealing with the use of the manifest and manifest discrepancies), and F through L;
- 3) All applicable provisions in 35 Ill. Adm. Code 725.Subparts A, B (but not 35 Ill. Adm. Code 725.113 (waste analysis)), C, D, E (but not 35 Ill. Adm. Code 725.171 and 725.172 dealing with the use of the manifest and manifest discrepancies), and F through L;
- 4) All applicable provisions in 35 Ill. Adm. Code 702, 703 and 705.

- c) Spent lead-acid batteries that are not managed under this Part, are



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subject to management under 35 Ill. Adm. Code 733.

(Source: Amended at 20 Ill. Reg. **11263**, effective  
**AUG 01 1996**)

SUBPART H: HAZARDOUS WASTE BURNED IN BOILERS  
AND INDUSTRIAL FURNACES

Section 726.203 Interim Status Standards for Burners

a) Purpose, scope, applicability.

1) General.

A) The purpose of this Section is to establish minimum national standards for owners and operators of "existing" BIFs that burn hazardous waste where such standards define the acceptable management of hazardous waste during the period of interim status. The standards of this Section apply to owners and operators of existing facilities until either a permit is issued under Section 726.202(d) or until closure responsibilities identified in this Section are fulfilled.

B) "Existing" or "in existence" means a BIF for which the owner or operator filed a certification of precompliance with USEPA H-9---BPA pursuant to 40 CFR 266.103(b), incorporated by reference in subsection (b) below; provided, however, that USEPA H-9---BPA has not determined that the certification is invalid.

C) If a BIF is located at a facility that already has a RCRA permit or interim status, then the owner or operator shall comply with the applicable regulations dealing with permit modifications in 35 Ill. Adm. Code 703.280 or changes in interim status in 35 Ill. Adm. Code 703.155.

2) Exemptions. The requirements of this Section do not apply to hazardous waste and facilities exempt under Sections 726.200(b) or 726.208.

3) Prohibition on burning dioxin-listed wastes. The following hazardous waste listed for dioxin and hazardous waste derived from any of these wastes must not be burned in a BIF operating under interim status: USEPA H-9---BPA hazardous waste numbers F020, F021, F022, F023, F026 and F027.

4) Applicability of 35 Ill. Adm. Code 725 standards. Owners and operators of BIFs that burn hazardous waste and are operating under interim status are subject to the following provisions of 35 Ill. Adm. Code 725, except as provided otherwise by this Section:

- A) In Subpart A of this Part (General), 35 Ill. Adm. Code 725.104;
- B) In Subpart B of this Part (General facility standards), 35 Ill. Adm. Code 725.111 through 725.117;

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- C) In Subpart C of this Part (Preparedness and prevention), 35 Ill. Adm. Code 725.131 through 725.137;
  - D) In Subpart D of this Part (Contingency plan and emergency procedures), 35 Ill. Adm. Code 725.151 through 725.156;
  - E) In Subpart E of this Part (Manifest system, recordkeeping and reporting), 35 Ill. Adm. Code 725.171 - 725.177, except that 35 Ill. Adm. Code 725.171, 725.172 and 725.176 do not apply to owners and operators of on-site facilities that do not receive any hazardous waste from off-site sources;
  - F) In Subpart G of this Part (Closure and post-closure), 35 Ill. Adm. Code 725.211 - 725.215;
  - G) In Subpart H of this Part (Financial requirements), 35 Ill. Adm. Code 725.241, 725.242, 725.243 and 725.247 through 725.251, except that the State of Illinois and the Federal government are exempt from the requirements of 35 Ill. Adm. Code 725.247 and 725.251;
  - H) In Subpart BB of this Part (Air emission standards for equipment leaks), except 35 Ill. Adm. Code 725.950(a).
- 5) Special requirements for furnaces. The following controls apply during interim status to industrial furnaces (e.g., kilns, cupolas) that feed hazardous waste for a purpose other than solely as an ingredient (see subsection (a)(5)(B) above) at any location other than the hot end where products are normally discharged or where fuels are normally fired:

- A) Controls.
  - i) The hazardous waste must be fed at a location where combustion gas temperatures are at least 1800°F;
  - ii) The owner or operator shall determine that adequate oxygen is present in combustion gases to combust organic constituents in the waste and retain documentation of such determination in the facility record;
  - iii) For cement kiln systems, the hazardous waste must be fed into the kiln; and
  - iv) The HC controls of Section 726.204(f) or subsection (c)(5) below apply upon certification of compliance level achieved during the compliance test.
- B) Burning hazardous waste solely as an ingredient. A hazardous waste is burned for a purpose other than "solely as an ingredient" if it meets either of these criteria:
  - i) The hazardous waste has a total concentration of nonmetal compounds listed in 35 Ill. Adm. Code 721.Appendix H, exceeding 500 ppm by weight, as fired and so is considered to be burned for destruction. The concentration of nonmetal compounds in a waste as-generated may be reduced to the 500 ppm limit by bona fide treatment that removes or destroys nonmetal

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constituents. Blending for dilution to meet the 500 ppm limit is prohibited and documentation that the waste has not been impermissibly diluted must be retained in the facility record; or

- ii) The hazardous waste has a heating value of 5,000 Btu/lb or more, as fired, and so is considered to be burned as fuel. The heating value of a waste as-generated may be reduced to below the 5,000 Btu/lb limit by bona fide treatment that removes or destroys organic constituents. The heating value of a waste as-generated may be reduced to below the 5,000 Btu/lb limit by bona fide treatment that removes or destroys organic constituents. Blending to augment the heating value to meet the 5,000 Btu/lb limit is prohibited and documentation that the waste has not been impermissibly blended must be retained in the facility record.

- 6) Restrictions on burning hazardous waste that is not a fuel. Prior to certification of compliance under subsection (c) below, owners and operators shall not feed hazardous waste that has a heating value less than 5000 Btu/lb, as generated, (except that the heating value of a waste as-generated may be increased to above the 5,000 Btu/lb limit by bona fide treatment; however blending to augment the heating value to meet the 5,000 Btu/lb limit is prohibited and records must be kept to document that impermissible blending has not occurred) in a BIF, except that:
  - A) Hazardous waste may be burned solely as an ingredient; or
  - B) Hazardous waste may be burned for purposes of compliance testing (or testing prior to compliance testing) for a total period of time not to exceed 720 hours; or

- C) Such waste may be burned if the Agency has documentation to show that, prior to August 21, 1991:
  - i) The BIF was operating under the interim status standards for incinerators or thermal treatment units, 35 Ill. Adm. Code 725.Subparts O or P; and
  - ii) The BIF met the interim status eligibility requirements under 35 Ill. Adm. Code 703.153 for 35 Ill. Adm. Code 725.Subparts O or P; and
  - iii) Hazardous waste with a heating value less than 5,000 Btu/lb was burned prior to that date; or

- D) Such waste may be burned in a halogen acid furnace if the waste was burned as an excluded ingredient under 35 Ill. Adm. Code 721.102(e) prior to February 21, 1991, and documentation is kept on file supporting this claim.

- 7) Direct transfer to the burner. If hazardous waste is directly transferred from a transport vehicle to a BIF without the use of a storage unit, the owner and operator shall comply with Section 726.211.

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- b) Certification of pre-compliance.

1) The Board incorporates by reference 40 CFR 266.103(b)(1992); amended at 57 Fed. Reg. 38564, August 25, 1992. This Section incorporates no later editions or amendments.

- 2) Certain owners and operators were required to file a certification of pre-compliance with USEPA W-S-EPA by August 21, 1991, pursuant to 40 CFR 266.103(b). No separate filing is required with the Agency.

- c) Certification of compliance. The owner or operator shall conduct emissions testing to document compliance with the emissions standards of Sections 726.204(b) through (e), 726.205, 726.206, 726.207, and subsection (a)(5)(A)(iv) above under the procedures prescribed by this subsection, except under extensions of time provided by subsection (c)(7) below. Based on the compliance test, the owner or operator shall submit to the Agency, on or before August 21, 1992, a complete and accurate "certification of compliance" (under subsection (c)(4) below) with those emission standards establishing limits on the operating parameters specified in subsection (c)(1) below.

1) Limits on operating conditions. The owner or operator shall establish limits on the following parameters based on operations during the compliance test (under procedures prescribed in subsection (c)(4)(D) below) or as otherwise specified and include these limits with the certification of compliance. The BIF must be operated in accordance with these operating limits and the applicable emissions standards of Section 726.204(b) through (e), 726.205, 726.206, 726.207 and subsection (a)(5)(A)(iv) above at all times when there is hazardous waste in the unit.

- A) Feed rate of total hazardous waste and (unless complying the Tier I or adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e)), pumpable hazardous waste; or
- B) Feed rate of each metal in the following feedstreams:
  - i) Total feedstreams, except that industrial furnaces that must comply with the alternative metals implementation approach under subsection (c)(3)(B) below must specify limits on the concentration of each metal in collected PM in lieu of feed rate limits for total feedstreams; and facilities that comply with Tier I or Adjusted Tier I metals feed rate screening limits may set their operating limits at the metal feed rate screening limits determined under subsection 726.206(b) or (e);<sup>2</sup>

NOTE: Federal Board 266.103(c)(1)(ii)(A)(1) and (C)(1)(ii)(A)(2) are condensed into the above subsection.

- ii) Total hazardous waste feed (unless complying with the Tier I or adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e)); and
- iii) Total pumpable hazardous waste feed (unless complying

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- with Tier I or Adjusted Tier I metals feed rate screening limits under subsection 726.206(b) or (e)).
- C) Total feed rate of total chlorine and chloride in total feed streams, except that facilities that comply with Tier I or Adjusted Tier I feed rate screening limits may set their operating limits at the total chlorine and chloride feed rate screening limits determined under subsection 726.207(b)(1) or (e);
- D) Total feed rate of ash in total feed streams, except that the ash feed rate for cement kilns and light-weight aggregate kilns is not limited;
- E) CO concentration, and where required, HC concentration in stack gas. When complying with the CO controls of Section 726.204(b), the CO limit is 100 ppmv, and when complying with the HC controls of Section 726.204(c), the HC limit is 20 ppmv. When complying with the CO controls of Section 726.204(c), the CO limit is established based on the compliance test;
- F) Maximum production rate of the device in appropriate units when producing normal product unless complying with Tier I or Adjusted Tier I feed rate screening limits for chlorine under subsection 726.207(b)(1) or (e) and for all metals under subsection 726.207(b) or (e), and the uncontrolled particulate emissions do not exceed the standard under subsection 726.205;
- G) Maximum combustion chamber temperature where the temperature measurement is as close to the combustion zone as possible and is upstream of any quench water injection, (unless complying with the Tier I adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e));
- H) Maximum flue gas temperature entering a PM control device (unless complying with Tier I or adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e));
- I) For systems using wet scrubbers, including wet ionizing scrubbers (unless complying with the Tier I or adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e) and the total chlorine and chloride feed rate screening limits under Section 726.207(b)(1) or (e));
- ii) Minimum liquid to flue gas ratio;
- iii) Minimum scrubber blowdown from the system or maximum suspended solids content of scrubber water; and
- iii) Minimum pH level of the scrubber water;
- J) For systems using venturi scrubbers, the minimum differential gas pressure across the venturi (unless complying the Tier I or adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e) and the total chlorine and chloride feed rate screening limits under Section 726.207(b)(1) or (e));

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- K) For systems using dry scrubbers (unless complying with the Tier I or adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e) and the total chlorine and chloride feed rate screening limits under Section 726.207(b)(1) or (e));
- i) Minimum caustic feed rate; and
- ii) Maximum flue gas flow rate;
- L) For systems using wet ionizing scrubbers or electrostatic precipitators (unless complying with the Tier I or adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e) and the total chlorine and chloride feed rate screening limits under Section 726.207(b)(1) or (e));
- i) Minimum electrical power in kVA to the precipitator plates; and
- ii) Maximum flue gas flow rate;
- M) For systems using fabric filters (baghouses), the minimum pressure drop (unless complying with the Tier I or adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e) and the total chlorine and chloride feed rate screening limits under Section 726.207(b)(1) or (e)).
- 2) Prior notice of compliance testing. At least 30 days prior to the compliance testing required by subsection (c)(3) below, the owner or operator shall notify the Agency and submit the following information:
- A) General facility information including:
- i) USEPA 87-S-BPA facility ID number;
- ii) Facility name, contact person, telephone number and address;
- iii) Person responsible for conducting compliance test, including company name, address and telephone number, and a statement of qualifications;
- iv) Planned date of the compliance test;
- B) Specific information on each device to be tested including:
- i) A Description of BIF;
- ii) A scaled plot plan showing the entire facility and location of the BIF;
- iii) A description of the APCs;
- iv) Identification of the continuous emission monitors that are installed, including: CO monitor; Oxygen monitor; HC monitor, specifying the minimum temperature of the system and, if the temperature is less than 150° C, an explanation of why a heated system is not used (see subsection (c)(5) below) and a brief description of the sample gas conditioning system;
- v) Indication of whether the stack is shared with another device that will be in operation during the compliance test; and



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- vi) Other information useful to an understanding of the system design or operation; and:
- C) Information on the testing planned, including a complete copy of the test protocol and QA/QC plan, and a summary description for each test providing the following information at a minimum:
- Purpose of the test (e.g., demonstrate compliance with emissions of PM); and
  - Planned operating conditions, including levels for each pertinent parameter specified in subsection (c)(1) above.
- 3) Compliance testing.
- A) General. Compliance testing must be conducted under conditions for which the owner or operator has submitted a certification of pre-compliance under subsection (b) above and under conditions established in the notification of compliance testing required by subsection (c)(2) above. The owner or operator may seek approval on a case-by-case basis to use compliance test data from one unit in lieu of testing a similar on-site unit. To support the request, the owner or operator shall provide a comparison of the hazardous waste burned and other feedstreams, and the design, operation, and maintenance of both the tested unit and the similar unit. The Agency shall provide a written approval to use compliance test data in lieu of testing a similar unit if the Agency finds that the hazardous wastes, devices and the operating conditions are sufficiently similar, and the data from the other compliance test is adequate to meet the requirements of this subsection (c).

- B) Special requirements for industrial furnaces that recycle collected PM. Owners and operators of industrial furnaces that recycle back into the furnace PM from the APCS shall comply with one of the following procedures for testing to determine compliance with the metals standards of Section 726.206(c) or (d):
- The special testing requirements prescribed in "Alternative Method for Implementing Metals Controls" in Appendix I; or
  - Stack emissions testing for a minimum of 6 hours each day while hazardous waste is burned during interim status. The testing must be conducted when burning normal hazardous waste for that day at normal feed rates for that day and when the APCS is operated under normal conditions. During interim status, hazardous waste analysis for metals content must be sufficient for the owner or operator to determine if changes in metals content affect the ability of the unit to meet the metals emissions standards established under

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- Section 726.206(c) or (d). Under this option, operating limits (under subsection (c)(1) above) must be established during compliance testing under this subsection (c)(3) only on the following parameters: Feed rate of total hazardous waste; Total feed rate of total chlorine and chloride in total feed streams; Total feed rate of ash in total feed streams, except that the ash feed rate for cement kilns and light-weight aggregate kilns is not limited; CO concentration, and where required, HC concentration in stack gas; Maximum production rate of the device in appropriate units when producing normal product; or
- Conduct compliance testing to determine compliance with the metals standards to establish limits on the operating parameters of subsection (c)(1) above only after the kiln system has been conditioned to enable it to reach equilibrium with respect to metals fed into the system and metals emissions. During conditioning, hazardous waste and raw materials having the same metals content as will be fed during the compliance test must be fed at the feed rates that will be fed during the compliance test.
- C) Conduct of compliance testing.
- If compliance with all applicable emissions standards of Sections 726.204 through 726.207 is not demonstrated simultaneously during a set of test runs, the operating conditions of additional test runs required to demonstrate compliance with remaining emissions standards must be as close as possible to the original operating conditions.
  - Prior to obtaining test data for purposes of demonstrating compliance with the applicable emissions standards of Sections 726.204 through 726.207 or establishing limits on operating parameters under this Section, the facility must operate under compliance test conditions for a sufficient period to reach steady-state operations. Industrial furnaces that recycle collected PM back into the furnace and that comply with subsections (c)(3)(B)(i) or (c)(3)(B)(ii) above, however, need not reach steady state conditions with respect to the flow of metals in the system prior to beginning compliance testing for metals.
  - Compliance test data on the level of an operating parameter for which a limit must be established in the certification of compliance must be obtained during emissions sampling for the pollutant(s) (i.e., metals, PM, HCl/chlorine gas, organic compounds) for which the parameter must be established as specified by

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- 4) Certification of compliance. Within 90 days of completing compliance testing, the owner or operator shall certify to the Agency compliance with the emissions standards of Sections 726.204(b), (c) and (e), 726.205, 726.206, 726.207, and subsection (a)(5)(A)(iv) above. The certification of compliance must include the following information:

- A) General facility and testing information including:
- i) USEPA 8-57-BPA facility ID number;
  - ii) Facility name, contact person, telephone number and address;
  - iii) Person responsible for conducting compliance testing, including company name, address and telephone number, and a statement of qualifications;
  - iv) Date(s) of each compliance test;
  - v) Description of BIF tested;
  - vi) Person responsible for QA/QC, title and telephone number, and statement that procedures prescribed in the QA/QC plan submitted under Section 726.203(c)(2)(C) have been followed, or a description of any changes and an explanation of why changes were necessary;
  - vii) Description of any changes in the unit configuration prior to or during testing that would alter any of the information submitted in the prior notice of compliance testing under subsection (c)(2) above and an explanation of why the changes were necessary;
  - viii) Description of any changes in the planned test conditions prior to or during the testing that alter any of the information submitted in the prior notice of compliance testing under subsection (c)(2) above and an explanation of why the changes were necessary; and
  - ix) The complete report on results of emissions testing.

## B) Specific information on each test including:

- i) Purpose(s) of test (e.g., demonstrate conformance with the emissions limits for PM, metals, HCl, chlorine gas and CO);
- ii) Summary of test results for each run and for each test including the following information: Date of run; Duration of run; Time-weighted average and highest hourly rolling average CO level for each run and for the test; Highest hourly rolling average HC level, if HC monitoring is required for each run and for the test; If dioxin and furan testing is required under Section 726.204(e), time-weighted average emissions for each run and for the test of chlorinated dioxin and furan emissions, and the predicted maximum annual

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average ground level concentration of the toxicity equivalency factor (defined in Section 726.200(g)); Time-weighted average PM emissions for each run and for the test; Time-weighted average HCl and chlorine gas emissions for each run and for the test; Time-weighted average emissions for the metals subject to regulation under Section 726.206 for each run and for the test; and QA/QC results.

- C) Comparison of the actual emissions during each test with the emissions limits prescribed by Sections 726.204(b), (c) and (e), 726.205, 726.206 and 726.207 and established for the facility in the certification of pre-compliance under subsection (b) above.

- D) Determination of operating limits based on all valid runs of the compliance test for each applicable parameter listed in subsection (c)(1) above using one either of the following procedures:

- i) Instantaneous limits. A parameter must be measured and recorded on an instantaneous basis (i.e., the value that occurs at any time) and the operating limit specified as the time-weighted average during all runs of the compliance test. 7-er
- ii) Hourly rolling average basis. The limit for a parameter must be established and continuously monitored on an hourly rolling average basis, as defined in Section 726.200(g). The operating limit for the parameter must be established based on compliance test data as the average over all test runs of the highest hourly rolling average value for each run.
- iii) Rolling average limits for carcinogenic metals and lead. Feed rate limits for the carcinogenic metals and lead must be established either on an hourly rolling average basis as prescribed by subsection (c)(4)(D)(ii) above or on (up to) a 24 hour rolling average basis. If the owner or operator elects to use an averaging period from 2 to 24 hours: The feed rate of each metal must be limited at any time to ten times the feed rate that would be allowed on a hourly rolling average basis; The continuous monitor is as defined in Section 726.200(g). And the operating limit for the feed rate of each metal must be established based on compliance test data as the average over all test runs of the highest hourly rolling average feed rate for each run.

- iv) Feed rate limits for metals, total chlorine and chloride and ash. Feed rate limits for metals, total chlorine and chloride and ash are established and

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monitored by knowing the concentration of the substance (i.e., metals, chloride/chlorine and ash) in each feedstream and the flow rate of the feedstream. To monitor the feed rate of these substances, the flow rate of each feedstream must be monitored under the continuous monitoring requirements of subsections (c)(4)(D)(i) through (c)(4)(D)(iii) above.

- E) Certification of compliance statement. The following statement must accompany the certification of compliance:

"I certify under penalty of law that this information was prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gathered and evaluated the information and supporting documentation. Copies of all emissions tests, dispersion modeling results and other information used to determine conformance with the requirements of 35 Ill. Adm. Code 726.203(c) are available at the facility and can be obtained from the facility contact person listed above. Based on my inquiry of the person or persons who manages the facility, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I also acknowledge that the operating limits established pursuant to 35 Ill. Adm. Code 726.203(c)(4)(D) are enforceable limits at which the facility can legally operate during interim status until a revised certification of compliance is submitted."

- 5) Special requirements for HC monitoring systems. When an owner or operator is required to comply with the HC controls provided by Sections 726.204(c) or subsection (a)(5)(A)(iv) above, a conditioned gas monitoring system may be used in conformance with specifications provided in Section 726.206. Appendix I provided that the owner or operator submits a certification of compliance without using extensions of time provided by subsection (c)(7) below. However, owners or operators of facilities electing to comply with the alternative hydrocarbon provision of Section 726.204(f) and requesting a time extension under Section 726.204(f) may establish the baseline HC level and comply with the interim HC limit established by the time extension using a conditioned gas monitoring system if the Board determines that the owner or operator has also demonstrated a good-faith effort to operate a heated monitoring system but found it to be impracticable.

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- 6) Special operating requirements for industrial furnaces that recycle collected PM. Owners and operators of industrial furnaces that recycle back into the furnace PM from the APCS must:

- A) When complying with the requirements of subsection (c)(3)(B)(i) above, comply with the operating requirements prescribed in "Alternative Method to Implement the Metals Controls" in Appendix I; and
- B) When complying with the requirements of subsection (c)(3)(B)(ii) above, comply with the operating requirements prescribed by that subsection.

- 7) Extensions of time.

- A) If the owner or operator does not submit a complete certification of compliance for all of the applicable emissions standards of Sections 726.204, 726.205, 726.206 and 726.207 by August 21, 1992, the owner or operator shall either:

- i) Stop burning hazardous waste and begin closure activities under subsection (1) below for the hazardous waste portion of the facility; or
- ii) Limit hazardous waste burning only for purposes of compliance testing (and pre-testing to prepare for compliance testing) a total period of 720 hours for the period of time beginning August 21, 1992, submit a notification to the Agency by August 21, 1992 stating that the facility is operating under restricted interim status and intends to resume burning hazardous waste, and submit a complete certification of compliance by August 23, 1993; or
- iii) Obtain a case-by-case extension of time under subsection (c)(7)(B) below.

- B) Case-by-case extensions of time. See Section 726.219.

- 8) Revised certification of compliance. The owner or operator may submit at any time a revised certification of compliance (recertification of compliance) under the following procedures:

- A) Prior to submittal of a revised certification of compliance, hazardous waste must not be burned for more than a total of 720 hours under operating conditions that exceed those established under a current certification of compliance, and such burning must be conducted only for purposes of determining whether the facility can operate under revised conditions and continue to meet the applicable emissions standards of Sections 726.204, 726.205, 726.206 and 726.207;
- B) At least 30 days prior to first burning hazardous waste under operating conditions that exceed those established under a current certification of compliance, the owner or operator shall notify the Agency and submit the following information:



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- i) USEPA 49-5-22A facility ID number, and facility name, contact person, telephone number and address;
- ii) Operating conditions that the owner or operator is seeking to revise and description of the changes in facility design or operation that prompted the need to seek to revise the operating conditions;
- iii) A determination that, when operating under the revised operating conditions, the applicable emissions standards of Sections 726.204, 726.205, 726.206 and 726.207 are not likely to be exceeded. To document this determination, the owner or operator shall submit the applicable information required under subsection (b)(2) above; and
- iv) Complete emissions testing protocol for any pretesting and for a new compliance test to determine compliance with the applicable emissions standards of Sections 726.204, 726.205, 726.206 and 726.207 when operating under revised operating conditions. The protocol shall include a schedule of pre-testing and compliance testing. If the owner and operator revises the scheduled date for the compliance test, the owner or operator shall notify the Agency in writing at least 30 days prior to the revised date of the compliance test;
- C) Conduct a compliance test under the revised operating conditions and the protocol submitted to the Agency to determine compliance with the applicable emissions standards of Sections 726.204, 726.205, 726.206 and 726.207; and
- D) Submit a revised certification of compliance under subsection (c)(4) above.
- d) Periodic Recertifications. The owner or operator shall conduct compliance testing and submit to the Agency a recertification of compliance under provisions of subsection (c) above within three years from submitting the previous certification or recertification. If the owner or operator seeks to recertify compliance under new operating conditions, the owner or operator shall comply with the requirements of subsection (c)(8) above.
- e) Noncompliance with certification schedule. If the owner or operator does not comply with the interim status compliance schedule provided by subsections (b), (c) and (d) above, hazardous waste burning must terminate on the date that the deadline is missed, closure activities must begin under subsection (1) below, and hazardous waste burning must not resume except under an operating permit issued under 35 Ill. Adm. Code 703.232. For purposes of compliance with the closure provisions of subsection (1) below and 35 Ill. Adm. Code 725.212(d)(2) and 725.213, the BIF has received "the known final volume of hazardous waste" on the date the deadline is missed.
- f) Start-up and shut-down. Hazardous waste (except waste fed solely as

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- an ingredient under the Tier I (or adjusted Tier I) feed rate screening limits for metals and chloride/chlorine) must not be fed into the device during start-up and shut-down of the BIF, unless the device is operating within the conditions of operation specified in the certification of compliance.
- g) Automatic waste feed cutoff. During the compliance test required by subsection (c)(3) above and upon certification of compliance under subsection (c) above, a BIF must be operated with a functioning system that automatically cuts off the hazardous waste feed when the applicable operating conditions specified in subsections (c)(1)(A) and (c)(1)(E) through (c)(1)(M) above deviate from those established in the certification of compliance. In addition:
    - 1) To minimize emissions of organic compounds, the minimum combustion chamber temperature (or the indicator of combustion chamber temperature) that occurred during the compliance test must be maintained while hazardous waste or hazardous waste residues remain in the combustion chamber, with minimum temperature during the compliance test defined as either:
      - A) If compliance with the combustion chamber temperature limit is based on a hourly rolling average, the minimum temperature during the compliance test is considered to be the average over all runs of the lowest hourly rolling average for each run; or
      - B) If compliance with the combustion chamber temperature limit is based on an instantaneous temperature measurement, the minimum temperature during the compliance test is considered to be the time-weighted average temperature during all runs of the test; and
    - 2) Operating parameters limited by the certification of compliance must continue to be monitored during the cutoff, and the hazardous waste feed must not be restarted until the levels of those parameters comply with the limits established in the certification of compliance.
  - h) Fugitive emissions. Fugitive emissions must be controlled by:
    - 1) Keeping the combustion zone totally sealed against fugitive emissions; or
    - 2) Maintaining the combustion zone pressure lower than atmospheric pressure; or
    - 3) An alternate means of control that the owner or operator demonstrates provides fugitive emissions control equivalent to maintenance of combustion zone pressure lower than atmospheric pressure. Support for such demonstration must be included in the operating record.
  - i) Changes. A BIF must cease burning hazardous waste when combustion properties, or feed rates of the hazardous waste, other fuels or industrial furnace feedstocks, or the BIF design or operating conditions deviate from the limits specified in the certification of compliance.

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## j) Monitoring and Inspections.

- 1) The owner or operator shall monitor and record the following, at a minimum, while burning hazardous waste:

A) Feed rates and composition of hazardous waste, other fuels and industrial furnace feed stocks, and feed rates of ash, metals, and total chlorine and chloride as necessary to ensure conformance with the certification of pre-compliance or certification of compliance;

B) CO, oxygen and, if applicable, HC, on a continuous basis at a common point in the BIF downstream of the combustion zone and prior to release of stack gases to the atmosphere in accordance with the operating limits specified in the certification of compliance CO, HC and oxygen monitors must be installed, operated and maintained in accordance with methods specified in Appendix I, and r

C) Upon the request of the Agency, sampling and analysis of the hazardous waste (and other fuels and industrial furnace feed stocks as appropriate) and the stack gas emissions must be conducted to verify that the operating conditions established in the certification of pre-compliance or certification of compliance achieve the applicable standards of Sections 726.204, 726.205, 726.206 and 726.207.

2) The BIF and associated equipment (pumps, valves, pipes, fuel storage tanks, etc.) must be subjected to thorough visual inspection when they contain hazardous waste, at least daily for leaks, spills, fugitive emissions and signs of tampering.

3) The automatic hazardous waste feed cutoff system and associated alarms must be tested at least once every 7 days when hazardous waste is burned to verify operability, unless the owner or operator can demonstrate that weekly inspections will unduly restrict or upset operations and that less frequent inspections will be adequate. Support for such demonstration must be included in the operating record. At a minimum, operational testing must be conducted at least once every 30 days.

4) These monitoring and inspection data must be recorded and the records must be placed in the operating log.

k) Recordkeeping. The owner or operator shall keep in the operating record of the facility all information and data required by this Section until closure of the BIF unit.

1) Closure. At closure, the owner or operator shall remove all hazardous waste and hazardous waste residues (including, but not limited to, ash, scrubber waters and scrubber sludges) from the BIF and shall comply with 35 Ill. Adm. Code 725.211 through 725.215.

(Source: Amended at 20 Ill. Reg. **11263**, effective **AUG 01 1996**)

## Section 726.204 Standards to control Organic Emissions

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## a) DRE standard.

- 1) General. Except as provided in subsection (a)(3) below, a BIF burning hazardous waste must achieve a DRE of 99.99% for all organic hazardous constituents in the waste feed. To demonstrate conformance with this requirement, 99.99% DRE must be demonstrated during a trial burn for each principal organic hazardous constituent (POHC) designated (under subsection (a)(2) below) in its permit for each waste feed. DRE is determined for each POHC from the following equation:

$$DRE = 100(I - O)/I$$

where:

I = Mass feed rate of one POHC in the hazardous waste fired to the BIF; and

O = Mass emission rate of the same POHC present in stack gas prior to release to the atmosphere.

2) Designation of POHCs. POHCs are those compounds for which compliance with the DRE requirements of this Section must be demonstrated in a trial burn in conformance with procedures prescribed in 35 Ill. Adm. Code 703.232. One or more POHCs must be designated by the Agency for each waste feed to be burned. POHCs must be designated based on the degree of difficulty of destruction of the organic constituents in the waste and on their concentrations or mass in the waste feed considering the results of waste analyses submitted with Part B of the permit application. POHCs are most likely to be selected from among those compounds listed in 35 Ill. Adm. Code 721. Appendix H that are also present in the normal waste feed. However, if the applicant demonstrates to the Agency that a compound not listed in 35 Ill. Adm. Code 721. Appendix H or not present in the normal waste feed is a suitable indicator of compliance with the DRE requirements of this Section, that compound must be designated as a POHC. Such POHCs need not be toxic or organic compounds.

3) Dioxin-listed waste. A BIF burning hazardous waste containing (or derived from) USEPA 8-S---EPA Hazardous Wastes Nos. F020, F021, F022, F023, F026, or F027 must achieve a destruction and removal efficiency (DRE) of 99.9999% for each POHC designated (under subsection (a)(2) above) in its permit. This performance must be demonstrated on POHCs that are more difficult to burn than tetra-, penta- and hexachlorodibenzo-p-dioxins and dibenzofurans. DRE is determined for each POHC from the equation in subsection (a)(1) above. In addition, the owner or operator of the BIF shall notify the Agency of intent to burn USEPA 8-S- EPA Hazardous Waste Nos. F020, F021, F022, F023, F026 or F027.

4) Automatic waiver of DRE trial burn. Owners and operators of



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boilers operated under the special operating requirements provided by Section 726.210 are considered to be in compliance with the DRE standard of subsection (a)(1) above and are exempt from the DRE trial burn.

- 5) Low risk waste. Owners and operators of BIFs that burn hazardous waste in compliance with the requirements of Section 726.209(a) are considered to be in compliance with the DRE standard of subsection (a)(1) above and are exempt from the DRE trial burn.
- b) CO standard.

- 1) Except as provided in subsection (c) below, the stack gas concentration of CO from a BIF burning hazardous waste cannot exceed 100 ppmv on an hourly rolling average basis (i.e., over any 60 minute period), continuously corrected to 7 percent oxygen, dry gas basis.

- 2) CO and oxygen must be continuously monitored in conformance with "Performance Specifications for Continuous Emission Monitoring of Carbon Monoxide and Oxygen for Incinerators, Boilers, and Industrial Furnaces Burning Hazardous Waste" in Appendix I.

- 3) Compliance with the 100 ppmv CO limit must be demonstrated during the trial burn (for new facilities or an interim status facility applying for a permit) or the compliance test (for interim status facilities). To demonstrate compliance, the highest hourly rolling average CO level during any valid run of the trial burn or compliance test must not exceed 100 ppmv.
- c) Alternative CO standard.

- 1) The stack gas concentration of CO from a BIF burning hazardous waste may exceed the 100 ppmv limit provided that stack gas concentrations of HCs do not exceed 20 ppmv, except as provided by subsection (f) below for certain industrial furnaces.

- 2) HC limits must be established under this Section on an hourly rolling average basis (i.e., over any 60 minute period), reported as propane, and continuously corrected to 7 percent oxygen, dry gas basis.

- 3) HC must be continuously monitored in conformance with "Performance Specifications for Continuous Emission Monitoring of Hydrocarbons for Incinerators, Boilers, and Industrial Furnaces Burning Hazardous Waste" in Appendix I. CO and oxygen must be continuously monitored in conformance with subsection (b)(2) above.

- 4) The alternative CO standard is established based on CO data during the trial burn (for a new facility) and the compliance test (for an interim status facility). The alternative CO standard is the average over all valid runs of the highest hourly average CO level for each run. The CO limit is implemented on an hourly rolling average basis, and continuously corrected to 7 percent oxygen, dry gas basis.

- d) Special requirements for furnaces. Owners and operators of industrial furnaces (e.g., kilns, cupolas) that feed hazardous waste for a

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purpose other than solely as an ingredient (see Section 726.203(a)(5)(B)) at any location other than the end where products are normally discharged and where fuels are normally fired must comply with the HC limits provided by subsections (c) above or (f) below irrespective of whether stack gas CO concentrations meet the 100 ppmv limit of subsection (b) above.

- e) Controls for dioxins and furans. Owners and operators of BIFs that are equipped with a dry PM control device that operates within the temperature range of 450 through 750° F, and industrial furnaces operating under an alternative HC limit established under subsection (f) below shall conduct a site-specific risk assessment as follows to demonstrate that emissions of chlorinated dibenzo-p-dioxins and dibenzofurans do not result in an increased lifetime cancer risk to the hypothetical maximum exposed individual (MEI) exceeding  $1 \times 10^{-5}$  (1 in 100,000):
  - 1) During the trial burn (for new facilities or an interim status facility applying for a permit) or compliance test (for interim status facilities), determine emission rates of the tetra-octa congeners of chlorinated dibenzo-p-dioxins (PCDDs) and dibenzofurans (CDDs/CDFs) using Method 23, "Determination of Polychlorinated Dibenzo-p-dioxins and Polychlorinated Dibenzofurans (PCDDs/CDFs) from Stationary Sources", in Appendix I;
  - 2) Estimate the 2,3,7,8-TCDD toxicity equivalence of the tetra-octa CDDs/CDFs congeners using "Procedures for Estimating the Toxicity Equivalence of Chlorinated Dibenzo-p-dioxin and Dibenzofuran Congeners" in Appendix I. Multiply the emission rates of CDD/CDF congeners with a toxicity equivalence greater than zero (see the procedure) by the calculated toxicity equivalence factor to estimate the equivalent emission rate of 2,3,7,8-TCDD;
  - 3) Conduct dispersion modeling using methods recommended in 40 CFR 51, Appendix W, as incorporated by reference at 35 Ill. Adm. Code 720.111 ("Guideline on Air Quality Models (Revised)" (1986) and its supplements), the "Hazardous Waste Combustion Air Quality Screening Procedure", provided in Appendix I, or in "Screening Procedures for Estimating Air Quality Impact of Stationary Sources, Revised" (incorporated by reference in 35 Ill. Adm. Code 720.111) to predict the maximum annual average off-site ground level concentration of 2,3,7,8-TCDD equivalents determined under subsection (e)(2) above. The maximum annual average on-site concentration must be used when a person resides on-site; and
  - 4) The ratio of the predicted maximum annual average ground level concentration of 2,3,7,8-TCDD equivalents to the risk-specific dose (RSD) for 2,3,7,8-TCDD provided in Appendix E (2.2  $\times 10^{-7}$ ) must not exceed 1.0.

- f) Alternative-HC limit-for-furnaces-with-organic-matter-in-raw-material-For industrial furnaces that cannot meet the 20 ppmv-HC limit--because of--organic-matter-in-normal-raw-material--the Agency shall establish an alternative-HC limit on a case-by-case basis--(under a Part-B-permit



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proceeding) at a level that ensures that five gas HE and tend-00 concentrations when burning hazardous waste are not greater than when not burning hazardous waste (the baseline HE level) provided that the owner or operator complies with the following requirements: However, cement kilns equipped with a by-pass duct meeting the requirements of subsection (g) below are not eligible for an alternative HE limit.

1) The owner or operator shall demonstrate that the facility is designed and operated to minimize HE emissions from fuels and raw materials and that the facility is producing normal feedstocks and under normal operating conditions feeding normal feedstocks and fuels when the baseline HE (and CO) level is determined. The baseline HE level is defined as the average over all valid test runs of the highest hourly rolling average value for each run when the facility does not burn hazardous waste, adjusted as appropriate to consider the variability of hydrocarbon levels under good combustion operating conditions. The baseline HE level is determined based on the test runs used to establish the baseline HE level and is defined as the average over all test runs of the highest hourly rolling average CO value for each run. More than one baseline level must be determined if the facility operates under different modes that generate significantly different HE (and CO) levels.

2) The owner or operator shall develop an approach to monitor over time changes in the operation of the facility that could reduce the baseline HE level.

3) The owner or operator shall conduct emissions testing during the trial burn to:

- A) Determine the baseline HE (and CO) level;
  - B) Demonstrate that when hazardous waste is burned, HE (and CO) levels do not exceed the baseline level; and
  - C) Identify the types and concentrations of organic compounds listed in 35 Ill. Adm. Code 721-Appendix H that are emitted and conduct dispersion modeling to predict the maximum annual average ground level concentration of each organic compound on site ground level concentrations must be considered for this evaluation if a person resides on site.
- 1) Sampling and analysis of organic emissions must be conducted using procedures prescribed by the Agency pursuant to 35 Ill. Adm. Code 703-288(a):

1) Dispersion modeling must be conducted according to procedures provided by subsection (e)(2) above and demonstrate that maximum annual average ground level concentrations of the organic compounds identified in subsection (f)(3)(e) above do not exceed the following levels:

1) For the noncarcinogenic compounds listed in Section 736-Appendix B, the levels established in that Section.

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1) For the carcinogenic compounds listed in Appendix B, the sum for all compounds of the ratios of the actual ground level concentration to the level established in that Section cannot exceed 1.0. To estimate the health risk from chlorinated dibenzo-p-dioxins and dibenzofuran congeners, use the procedures prescribed by subsection (e)(3) above to estimate the 2,3,7,8-PCDD toxicity equivalence of the congeners.

1) For compounds not listed in Section 726-Appendix B or 736-Appendix B, 0.1 ug/m<sup>3</sup> (micrograms per cubic meter).

4) All HE levels specified under this subsection are to be monitored and reported as specified in subsections (f)(1) and (f)(2) above. 1) Monitoring CO and HC in the by-pass duct of a cement kiln. Cement kilns may comply with the CO and HC limits provided by subsections (b), (c) and (d) above by monitoring in the by-pass duct provided that:

- 1) Hazardous waste is fired only into the kiln and not at any location downstream from the kiln exit relative to the direction of gas flow; and
- 2) The by-pass duct diverts a minimum of 10% of kiln off-gas into the duct.

g) Use of emissions test data to demonstrate compliance and establish operating limits. Compliance with the requirements of this Section must be demonstrated simultaneously by emissions testing or during separate runs under identical operating conditions. Further, data to demonstrate compliance with the CO and HC limits of this Section or to establish alternative CO or HC limits under this Section must be obtained during the time that DRE testing, and where applicable, CDD/CDF testing under subsection (e) above and comprehensive organic emissions testing under subsection (f) above is conducted.

h) Enforcement. For the purposes of permit enforcement, compliance with the operating requirements specified in this Section (under Section 726.202) will be regarded as compliance with this Section. However, evidence that compliance with those permit conditions is insufficient to ensure compliance with the requirements of this Section is "information" justifying modification or revocation and re-issuance of a permit under 35 Ill. Adm. Code 703.270 et seq.

(Source: AUG 01 1996 20 Ill. Reg. 11263)

effective

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1) Heading of the Part: Standards for Universal Waste Management2) Code Citation: 35 Ill. Adm. Code 7333) Section Numbers: Adopted Action:

733.101, 733.102, 733.103 New Section  
 733.104, 733.105, 733.106 New Section  
 733.110, 733.111, 733.112 New Section  
 733.113, 733.114, 733.115 New Section  
 733.116, 733.117, 733.118 New Section  
 733.119, 733.120, 733.130 New Section  
 733.131, 733.132, 733.133 New Section  
 733.134, 733.135, 733.136 New Section  
 733.137, 733.138, 733.139 New Section  
 733.140, 733.150, 733.151 New Section  
 733.152, 733.153, 733.154 New Section  
 733.155, 733.156, 733.160 New Section  
 733.161, 733.162, 733.170 New Section  
 733.180, 733.181 New Section

4) Statutory Authority: 415 ILCS 5/22.4 and 275) Effective Date of Rulemaking: August 1, 19966) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? Yes. 35 Ill. Adm. Code 720.111 is the centralized listing of all documents incorporated by reference for the purposes of 35 Ill. Adm. Code 702, 703, 704, 705, 720, 721, 722, 723, 724, 725, 726, 728, 730, 733, 738 & 739. The text of new Part 733 includes incorporations by reference of sections of the Federal Food, Drug and Cosmetic Act (FFDCA) and USDOT regulations relating to hazardous materials transportation (49 CFR 171.8 and 173.2). Although the text references the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), it incorporates no requirements from that statute. For this reason, the Board did not include this federal legislation as an incorporation by reference.

8) Date Filed in Agency's Principal Office: Order adopted June 20, 1996.9) Notice of Proposal Published in Illinois Register: February 16, 1996, 20 Ill. Reg. 3008.

10) Has JC&R issued a Statement of Objections to these rules? No. Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] provides that Section 5 of the Administrative Procedure Act [5 ILCS 100/5-35 and 5-40] shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review

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## by JC&amp;R.

11) Difference(s) between proposal and final version: The following tables summarize present the differences between the proposed and final versions of the rules:

Revisions to the Text of the Proposed RulesSectionCorrection

733.101(b)

Corrected references to "35 Ill. Adm. Code... 726, and 728"

733.102(a)(2)

Capitalized "726.Subpart G"

733.103(d)(1)(B)

Deleted comma before "or recovery"

733.104 Section heading, including Table of Contents

Added "Mercury"

733.106 "generator"

Corrected reference to "35 Ill. Adm. Code 721"

733.106 "pesticide"

Added "by" before "regulation"; deleted "by" from before "in either"; changed "subsections of this section" to "paragraphs of this definition"; added "law"; corrected spelling of "definiteness" in Board Note

733.112 &amp; 733.132(a)(1)

Removed "USEPA and"

733.113(a)(3), (a)(3)(A) &amp; (c)(3)(B)

Corrected "exhibit" to "exhibits"

733.113(a)(3)(B) &amp; (c)(3)(C) (Board Note)

Deleted "state"

733.113(c)(2)(H)

Changed end punctuation

733.114(b)

Removed comma from before parenthetical

733.114(c)(2)

Changed end punctuation, added "and"

733.118(c)

Changed end punctuation

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- 733.118(g) Added closing parenthesis
- 733.118(g), 733.138(g) & 733.161(c) Corrected Agency address
- 733.118(h) (Board Note) Deleted "state"
- 733.131(a) & (b) Deleted "from" from before "disposing" and "diluting"
- 733.132(a)(2) & (a)(3) Changed "USEPA and the Agency" to "USEPA or the Agency"
- 733.132 Board Note Deleted "ordering information for"; changed "RCRA/Superfund Hotline at 1-800-424-9346 or 703-920-9810." to "Agency at 217-782-6761"; added period within parentheses
- 733.133(a)(3), (a)(3)(A) & (c)(3)(B) Corrected "exhibit" to "exhibits"
- 733.133(a)(3)(B) & (c)(3)(C) (Board Note) Deleted "state"
- 733.133(c)(2)(H) Changed end punctuation
- 733.134(a) Deleted "the" from before "any one"
- 733.134(c)(2) Changed end punctuation, added "and"
- 733.138(g) Corrected spelling of "Agency"; corrected Agency address
- 733.138(h) & (Board Note) Deleted "state"
- 733.140(b) Corrected reference to "35 Ill. Adm. Code 722.Subpart E"
- 733.150 Capitalized "Subpart"
- 733.151(a) & (b) Deleted "from" from before "disposing" and "diluting"
- 733.161(c) Deleted "a" from before "owner or operator"; corrected Agency address
- 733.161(d) (Board Note) Deleted "state"

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- 733.180(a)(1) & (a)(2) Corrected references to "35 Ill. Adm. Code 101 and 102"
- 733.180(a) Board Note Changed "USEPA authorizes the Illinois universal waste regulations" to "USEPA either authorizes the Illinois universal waste regulations or otherwise authorizes the Board to add new categories of universal waste"
- 733.181(a) Corrected references to "35 Ill. Adm. Code 720.110", "35 Ill. Adm. Code 721.Subpart D", and "35 Ill. Adm. Code 721.Subpart C"
- 733.181(a) Corrected reference
- 733.181(f) Changed end punctuation
- JCAR Revisions to the Text of the Proposed Rules That Appeared Only in the Illinois Register Version of the Proposal Which the Board Has Declined to Accept
- | Section   | Correction  |
|---|---|
| 733.106 "FIFRA"   | Changed "136 through 136y" to "136-136y"                |
| 733.113(a)(1) & (c)(1); 733.133(a)(1) & (c)(1)  | Moved "in a container" to the end of the first sentence |
| 733.113(a)(1) & (b)(1); 733.133(c)(1)   | Deleted "and" from before "compatible"                  |
| 733.113(a)(3)(B) & (c)(3)(C); 733.118(h); 733.133(a)(3)(B) & (c)(3)(C); 733.138(h) & 733.161(d) (text of rules) | Lower cased "state"                                     |

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No. Section 22.4(a) of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR. Nevertheless, JCAR did review the regulations and submitted a number of suggested corrections for Board consideration. The Board reviewed the suggestions and accepted most of



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them. Those not accepted by the Board are indicated in the second table under item 11 above.

- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking:

A more detailed description is contained in the Board's opinion of June 20, 1996 in R95-20, which Opinion is available from the address below. Section 22.4 of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

The larger R95-20 proceeding, of which the rules of this Part is one segment, updates 35 Ill. Adm. Code 702, 703, 720, 721, 722, 724, 725, 726, and 728 of the Board's RCRA Subtitle C rules and adds 35 Ill. Adm. Code 733 to correspond with amendments adopted by U.S. EPA that appeared in the Federal Register during the period January 1 through June 30, 1995, with the addition of actions dated July 7, September 29, and November 13, 1995 and June 5, 1996. During the routine update period of January 1 through June 30, 1995, USEPA undertook the following actions:

Federal Action

Jan. 3, 1995,  
60 Fed. Reg. 242

Jan. 13, 1995,  
60 Fed. Reg. 3089

Feb. 3, 1995,  
60 Fed. Reg. 6666

Feb. 7, 1995,  
60 Fed. Reg. 7366

Feb. 9, 1995,  
60 Fed. Reg. 7824

Apr. 4, 1995,  
60 Fed. Reg. 17001

Technical Corrections To Phase II LDRs

Update to testing and monitoring methods

Response to city of Chicago v. Environmental Defense Fund decision

Determination that additional regulation is necessary for cement kiln dust

New hazardous waste listings for six carbamate production wastes; addition of 58 commercial chemical product wastes; exemption of certain biological treatment sludges

Update to testing and monitoring methods

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Update to CWA analytical methods

Corrections to carbamate waste listings

Universal Waste Rule

Correction to carbamate waste listings

Postponement of effective date for tank, container, and surface impoundment air emissions rules

Delisting of hazardous waste generated in Illinois by a Pennsylvania company

Deletion of obsolete, redundant, and outdated RCRA rules

In addition to these principal amendments that occurred during the normal docket update period, the Board has included four additional, later actions that are corrections or relaxations of prior amendments in the preceding RCRA Subtitle C update docket, R95-4/R95-6:

July 7, 1995,  
60 Fed. Reg. 35452  
Correction to the Subpart CC organic material emissions standards for tanks, containers and surface impoundments

September 29, 1995,  
60 Fed. Reg. 50426  
Stay of Subpart CC rules as they apply to tanks, containers, and surface impoundments that contain wastes generated in the manufacture of organic peroxides

November 13, 1995,  
60 Fed. Reg. 56952  
Stay of Subpart CC rules in their entirety until June 6, 1996

June 5, 1996,  
61 Fed. Reg. 28508  
Stay of Subpart CC rules in their entirety until October 6, 1996

Further, the Board omitted from consideration two set of federal amendments that occurred during the time-frame of this docket. First, on **January 3, 1995**, USEPA corrected errors and clarified language in the universal treatment standards adopted on September 13, 1994 as the Phase II LDRs. The Board did not include those amendments in this docket because we dealt with them in docket R95-4/R95-6, when adopting the Phase

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II rules. Second, on **May 19, 1995**, USEPA stayed implementation of the 40 CFR 264, subpart CC and 265, subpart CC (Subpart CC) regulations governing organic material emissions from tanks, containers, and surface impoundments. USEPA delayed the effective date by six months, until December 6, 1995. This delay was similarly included with the R95-4/R95-6 amendments, so there was no need for the Board to take action at this time. Further, the subsequent federal stay granted on November 13, 1995 and extended on June 5, 1996 made that initial stay of May 19 obsolete.

Specifically, adoption of Part 733 is based on the federal action of May 11, 1995 in adopting the universal waste rule. Part 733 is the main body of the universal waste rule: a set of alternative, less burdensome rules applicable to certain activities with regard to certain enumerated hazardous waste deemed "universal waste". In the initial adoption of the universal waste rule, USEPA has designated three universal wastes: waste thermostats, spent batteries, and waste pesticides.

- 16) Information and questions regarding these adopted rules shall be directed to:

Michael J. McCambridge  
Attorney  
Illinois Pollution Control Board  
100 W. Randolph 11-500  
Chicago, IL 60601  
312/814-6924

The full text of the Adopted Rule begins on the next page:

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## TITLE 35: ENVIRONMENTAL PROTECTION

## SUBTITLE G: WASTE DISPOSAL

## CHAPTER I: POLLUTION CONTROL BOARD

## SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

## PART 733

## STANDARDS FOR UNIVERSAL WASTE MANAGEMENT

## SUBPART A: GENERAL

Section	Quantity
733.101 Scope	
733.102 Applicability--Batteries	
733.103 Applicability--Pesticides	
733.104 Applicability--Mercury Thermostats	
733.105 Applicability--Household and Conditionally Exempt Generator Waste	
733.106 Definitions	

## SUBPART B: STANDARDS FOR SMALL QUANTITY HANDLERS

Section	Quantity
733.110 Applicability	
733.111 Prohibitions	
733.112 Notification	
733.113 Waste Management	
733.114 Labeling and Marking	
733.115 Accumulation Time Limits	
733.116 Employee Training	
733.117 Response to Releases	
733.118 Off-Site Shipments	
733.119 Tracking Universal Waste Shipments	
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## SUBPART C: STANDARDS FOR LARGE QUANTITY HANDLERS

Section	Quantity
733.130 Applicability	
733.131 Prohibitions	
733.132 Notification	
733.133 Waste Management	
733.134 Labeling and Marking	
733.135 Accumulation Time Limits	
733.136 Employee Training	
733.137 Response to Releases	
733.138 Off-Site Shipments	
733.139 Tracking Universal Waste Shipments	
733.140 Exports	

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SUBPART D: STANDARDS FOR UNIVERSAL WASTE TRANSPORTERS

Section  
733.150  
733.151  
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733.154  
733.155  
733.156

Applicability  
Prohibitions  
Waste Management  
Accumulation Time Limits  
Response to Releases  
Off-Site Shipments  
Exports

SUBPART E: STANDARDS FOR DESTINATION FACILITIES

Section  
733.160  
733.161  
733.162

Applicability  
Off-Site Shipments  
Tracking Universal Waste Shipments

SUBPART F: IMPORT REQUIREMENTS

Section  
733.170

Imports

SUBPART G: PETITIONS TO INCLUDE OTHER WASTES

Section  
733.180  
733.181

General  
Factors for Petitions to Include Other Wastes

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R95-20 at 20 Ill. Reg. **11291**, effective AUG 11 1996.

SUBPART A: GENERAL

Section 733.101 Scope

a) This Part establishes requirements for managing the following:

- 1) Batteries, as described in Section 733.102;
- 2) Pesticides, as described in Section 733.103; and
- 3) Thermostats, as described in Section 733.104.

b) This Part provides an alternative set of management standards in lieu of regulation under 35 Ill. Adm. Code 702 through 705, 720 through 726, and 728.

Section 733.102 Applicability--Batteries

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a) Batteries covered under this Part.

- 1) The requirements of this Part apply to persons managing batteries, as described in Section 733.106, except those listed in subsection (b) below.
- 2) Spent lead-acid batteries that are not managed under 35 Ill. Adm. Code 726.Subpart G, are subject to management under this Part.

b) Batteries not covered under this Part. The requirements of this Part do not apply to persons managing the following batteries:

- 1) Spent lead-acid batteries that are managed under 35 Ill. Adm. Code 726.Subpart G.
  - 2) Batteries, as described in Section 733.106, that are not yet wastes under 35 Ill. Adm. Code 721, including those that do not meet the criteria for waste generation in subsection (c) below.
  - 3) Batteries, as described in Section 733.106, that are not hazardous waste. A battery is a hazardous waste if it exhibits one or more of the characteristics identified in 35 Ill. Adm. Code 721.Subpart C.
- c) Generation of waste batteries.
- 1) A used battery becomes a waste on the date it is discarded (e.g., when sent for reclamation).
  - 2) An unused battery becomes a waste on the date the handler decides to discard it.

Section 733.103 Applicability--Pesticides

a) Pesticides covered under this Part. The requirements of this Part apply to persons managing pesticides, as described in Section 733.106, that meet the following conditions, except those listed in subsection (b) below:

- 1) Recalled pesticides:

- A) Stocks of a suspended and canceled pesticide that are part of a voluntary or mandatory recall under Section 19(b) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA; 7 U.S.C. Section 136g), including, but not limited to those owned by the registrant responsible for conducting the recall; or
- B) Stocks of a suspended or cancelled pesticide, or a pesticide that is not in compliance with FIFRA, that are part of a voluntary recall by the registrant.

2) Stocks of other unused pesticide products that are collected and managed as part of a waste pesticide collection program.

b) Pesticides not covered under this Part. The requirements of this Part do not apply to persons managing the following pesticides:

- 1) Recalled pesticides described in subsection (a)(1) above, and unused pesticide products described in subsection (a)(2) above, that are managed by farmers in compliance with 35 Ill. Adm. Code 722.170. (35 Ill. Adm. Code 722.170 addresses pesticides disposed of on the farmer's own farm in a manner consistent with



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the disposal instructions on the pesticide label, providing the container is triple rinsed in accordance with 35 Ill. Adm. Code 721.107(b)(3).;

- 2) Pesticides not meeting the conditions set forth in subsection (a) above must be managed in compliance with the hazardous waste regulations in 35 Ill. Adm. Code 702 through 705, 720 through 726, and 728;

- 3) Pesticides that are not wastes under 35 Ill. Adm. Code 721, including those that do not meet the criteria for waste generation in subsection (c) below or those that are not wastes as described in subsection (d) below; and

- 4) Pesticides that are not hazardous waste. A pesticide is a hazardous waste if it is a waste (subsection (b)(3) above) and either it is listed in 35 Ill. Adm. Code 721.Subpart D or it exhibits one or more of the characteristics identified in 35 Ill. Adm. Code 721.Subpart C.

- c) When a pesticide becomes a waste.

- 1) A recalled pesticide described in subsection (a)(1) above becomes a waste on the first date on which both of the following conditions apply:

- A) The generator of the recalled pesticide agrees to participate in the recall; and
- B) The person conducting the recall decides to discard (e.g., burn the pesticide for energy recovery).

- 2) An unused pesticide product described in subsection (a)(2) above becomes a waste on the date the generator decides to discard it.

- d) Pesticides that are not wastes. The following pesticides are not wastes:

- 1) Recalled pesticides described in subsection (a)(1) above, provided that:

- A) The person conducting the recall has not made a decision to discard the pesticide (e.g., burn it for energy recovery). Until such a decision is made, the pesticide does not meet the definition of "solid waste" under 35 Ill. Adm. Code 721.102; thus the pesticide is not a hazardous waste and is not subject to hazardous waste requirements, including those of this Part. This pesticide remains subject to the requirements of FIFRA; or

- B) The person conducting the recall has made a decision to use a management option that, under 35 Ill. Adm. Code 721.102, does not cause the pesticide to be a solid waste (i.e., the selected option is use (other than use constituting disposal) or reuse (other than burning for energy recovery) or reclamation). Such a pesticide is not a solid waste and therefore is not a hazardous waste, and is not subject to the hazardous waste requirements including this Part. This pesticide, including a recalled pesticide that is exported to a foreign destination for use or reuse, remains subject

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to the requirements of FIFRA.

- 2) Unused pesticide products described in subsection (a)(2) above, if the generator of the unused pesticide product has not decided to discard them (e.g., burn for energy recovery). These pesticides remain subject to the requirements of FIFRA.

## Section 733.104 Applicability--Mercury Thermostats

- a) Thermostats covered under this Part. The requirements of this Part apply to persons managing thermostats, as described in Section 733.106, except those listed in subsection (b) below.

- b) Thermostats not covered under this Part. The requirements of this Part do not apply to persons managing the following thermostats.

- 1) Thermostats that are not yet wastes under 35 Ill. Adm. Code 721. Subsection (c) below describes when thermostats become wastes.
- 2) Thermostats that are not hazardous waste. A thermostat is a hazardous waste if it is a waste (subsection (b)(1) above) and it exhibits one or more of the characteristics identified in 35 Ill. Adm. Code 721.Subpart C.

- c) Generation of waste thermostats.

- 1) A used thermostat becomes a waste on the date it is discarded (e.g., sent for reclamation).
- 2) An unused thermostat becomes a waste on the date the handler decides to discard it.

## Section 733.105 Applicability--Household and Conditionally Exempt Small Quantity Generator Waste

- a) Persons managing the wastes listed below may, at their option, manage them under the requirements of this Part.

- 1) Household wastes that are exempt under 35 Ill. Adm. Code 721.104(b)(1) and are also of the same type as the universal wastes defined at Section 733.106; or

- 2) Conditionally exempt small quantity generator wastes that are exempt under 35 Ill. Adm. Code 721.105 and are also of the same type as the universal wastes defined at Section 733.106.

- b) Persons that commingle the wastes described in subsections (a)(1) and (a)(2) above together with universal waste regulated under this Part shall manage the commingled waste under the requirements of this Part.

## Section 733.106 Definitions

"Battery" means a device consisting of one or more electrically connected electrochemical cells which is designed to receive, store, and deliver electric energy. An electrochemical cell is a system consisting of an anode, cathode, and an electrolyte, plus such connections (electrical and mechanical) as may be needed to allow the cell to deliver or receive electrical energy. The term battery also

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includes an intact, unbroken battery from which the electrolyte has been removed.

"Destination facility" means a facility that treats, disposes of, or recycles a particular category of universal waste, except those management activities described in Sections 733.113(a) and (c) and 733.133(a) and (c). A facility at which a particular category of universal waste is only accumulated is not a destination facility for purposes of managing that category of universal waste.

"FIFRA" means the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. Sections 136 - 136y).

"Generator" means any person, by site, whose act or process produces hazardous waste identified or listed in 35 Ill. Adm. Code 721 or whose act first causes a hazardous waste to become subject to regulation.

"Large quantity handler of universal waste" means a universal waste handler (as defined in this Section) that accumulates 5,000 kilograms or more total of universal waste (batteries, pesticides, or thermostats, calculated collectively) at any time. This designation as a large quantity handler of universal waste is retained through the end of the calendar year in which 5,000 kilograms or more total of universal waste is accumulated.

"On-site" means the same or geographically contiguous property that may be divided by public or private right-of-way, provided that the entrance and exit between the properties is at a cross-roads intersection, and access is by crossing as opposed to going along the right of way. Non-contiguous properties, owned by the same person but connected by a right-of-way that that person controls and to which the public does not have access, are also considered on-site property.

"Pesticide" means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest or intended for use as a plant regulator, defoliant, or desiccant, other than any article that fulfills one of the following descriptions:

It is a new animal drug under Section 201(v) of the Federal Food, Drug and Cosmetic Act (FFDCA); 21 U.S.C. Section 321(v)), incorporated by reference in Section 720.111,

It is an animal drug that has been determined by regulation of the federal Secretary of Health and Human Services, pursuant to FFDCA Section 360b(j), incorporated by reference in Section 720.111, to be an exempted new animal drug, or

It is an animal feed under FFDCA Section 201(w) (21 U.S.C.

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Section 321(w)), incorporated by reference in Section 720.111, that bears or contains any substances described in either of the two preceding paragraphs of this definition.

BOARD NOTE: The second exception of corresponding 40 CFR 273.6 reads as follows: "Is an animal drug that has been determined by regulation of the Secretary of Health and Human Services not to be a new animal drug". This is very similar to the language of Section 2(u) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA; 7 U.S.C. Section 136(u)). The three exceptions, taken together, appear intended not to include as "pesticide" any material within the scope of federal Food and Drug Administration regulation. The Board codified this provision with the intent of retaining the same meaning as its federal counterpart while adding the definiteness required under Illinois law.

"Small quantity handler of universal waste" means a universal waste handler (as defined in this Section) that does not accumulate more than 5,000 kilograms total of universal waste (batteries, pesticides, or thermostats, calculated collectively) at any time.

"Thermostat" means a temperature control device that contains metallic mercury in an ampule attached to a bimetal sensing element and mercury-containing ampules that have been removed from such a temperature control device in compliance with the requirements of 35 Ill. Adm. Code 733.113(c)(2) or 733.133(c)(2).

"Universal waste" means any of the following hazardous wastes that are subject to the universal waste requirements of this Part:

Batteries, as described in Section 733.102;

Pesticides, as described in Section 733.103; and

Thermostats, as described in Section 733.104.

"Universal waste handler" means either of the following:

A generator (as defined in this Section) of universal waste; or

The owner or operator of a facility, including all contiguous property, that receives universal waste from other universal waste handlers, accumulates universal waste, and sends universal waste to another universal waste handler, to a destination facility, or to a foreign destination.

"Universal waste handler" does not mean:



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A person that treats (except under the provisions of Section 733.113(a) or (c) or 733.133(a) or (c)), disposes of, or recycles universal waste; or

A person engaged in the off-site transportation of universal waste by air, rail, highway, or water, including a universal waste transfer facility.

"Universal waste transfer facility" means any transportation-related facility including loading docks, parking areas, storage areas and other similar areas where shipments of universal waste are held during the normal course of transportation for ten days or less.

"Universal waste transporter" means a person engaged in the off-site transportation of universal waste by air, rail, highway, or water.

## SUBPART B: STANDARDS FOR SMALL QUANTITY HANDLERS

## Section 733.110 Applicability

This Subpart applies to small quantity handlers of universal waste (as defined in Section 733.106).

## Section 733.111 Prohibitions

A small quantity handler of universal waste is prohibited from the following acts:

- a) Disposing of universal waste; and
- b) Diluting or treating universal waste, except by responding to releases as provided in Section 733.117 or by managing specific wastes as provided in Section 733.113.

## Section 733.112 Notification

A small quantity handler of universal waste is not required to notify the Agency of its universal waste handling activities.

## Section 733.113 Waste Management

- a) Universal waste batteries. A small quantity handler of universal waste shall manage universal waste batteries in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:
  - 1) A small quantity handler of universal waste shall contain any universal waste battery that shows evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions in a container. The container must be closed, structurally sound, compatible with the contents of the battery,

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and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.

- 2) A small quantity handler of universal waste may conduct the following activities, as long as the casing of each individual battery cell is not breached and remains intact and closed (except that cells may be opened to remove electrolyte but must be immediately closed after removal):
  - A) Sorting batteries by type;
  - B) Mixing battery types in one container;
  - C) Discharging batteries so as to remove the electric charge;
  - D) Regenerating used batteries;
  - E) Disassembling batteries or battery packs into individual batteries or cells;
  - F) Removing batteries from consumer products; or
  - G) Removing electrolyte from batteries.

- 3) A small quantity handler of universal waste that removes electrolyte from batteries, or that generates other solid waste (e.g., battery pack materials, discarded consumer products) as a result of the activities listed above, shall determine whether the electrolyte or other solid waste exhibits a characteristic of hazardous waste identified in 35 Ill. Adm. Code 721-Subpart C.
  - A) If the electrolyte or other solid waste exhibits a characteristic of hazardous waste, it is subject to all applicable requirements of 35 Ill. Adm. Code 702 through 705, 720 through 726, and 728. The handler is considered the generator of the hazardous electrolyte or other waste and is subject to 35 Ill. Adm. Code 722.
  - B) If the electrolyte or other solid waste is not hazardous, the handler may manage the waste in any way that is in compliance with applicable federal, state, or local solid (nonhazardous) waste regulations.

BOARD NOTE: See generally the Act and 35 Ill. Adm. Code 807 through 817 to determine whether additional facility siting, special waste, or nonhazardous waste landfills apply to the waste. Consult the ordinances of relevant units of local government to determine whether local requirements apply.

- b) Universal waste pesticides. A small quantity handler of universal waste shall manage universal waste pesticides in a way that prevents releases of any universal waste or component of a universal waste to the environment. The universal waste pesticides must be contained in one or more of the following:
  - 1) A container that remains closed, structurally sound, compatible with the pesticide, and that lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions;
  - 2) A container that does not meet the requirements of subsection (b)(1) above, provided that the unacceptable container is overpacked in a container that does meet the requirements of



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- subsection (b)(1);
- 3) A tank that meets the requirements of 35 Ill. Adm. Code 725-Subpart J, except for 35 Ill. Adm. Code 725.297(c), 265.300, and 265.301; or
  - 4) A transport vehicle or vessel that is closed, structurally sound, compatible with the pesticide, and that lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.
- c) Universal waste thermostats. A small quantity handler of universal waste shall manage universal waste thermostats in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:
- 1) A small quantity handler of universal waste shall contain any universal waste thermostat that shows evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions in a container. The container must be closed, structurally sound, compatible with the contents of the thermostat, and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.
  - 2) A small quantity handler of universal waste may remove mercury-containing ampules from universal waste thermostats provided the handler follows each of the following procedures:
    - A) It removes the ampules in a manner designed to prevent breakage of the ampules;
    - B) It removes ampules only over or in a containment device (e.g., tray or pan sufficient to collect and contain any mercury released from an ampule in case of breakage);
    - C) It ensures that a mercury clean-up system is readily available to immediately transfer any mercury resulting from spills or leaks from broken ampules, from the containment device to a container that meets the requirements of 35 Ill. Adm. Code 722.134;
    - D) It immediately transfers any mercury resulting from spills or leaks from broken ampules from the containment device to a container that meets the requirements of 35 Ill. Adm. Code 722.134;
    - E) It ensures that the area in which ampules are removed is well ventilated and monitored to ensure compliance with applicable OSHA exposure levels for mercury;
    - F) It ensures that employees removing ampules are thoroughly familiar with proper waste mercury handling and emergency procedures, including transfer of mercury from containment devices to appropriate containers;
    - G) It stores removed ampules in closed, non-leaking containers that are in good condition;
    - H) It packs removed ampules in the container with packing materials adequate to prevent breakage during storage,

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- handling, and transportation.
- 3) Required hazardous waste determination and further waste management.
    - A) A small quantity handler of universal waste that removes mercury-containing ampules from thermostats shall determine whether the following exhibit a characteristic of hazardous waste identified in 35 Ill. Adm. Code 721.Subpart C:
      - i) Mercury or clean-up residues resulting from spills or leaks; or
      - ii) Other solid waste generated as a result of the removal of mercury-containing ampules (e.g., remaining thermostat units).
    - B) If the mercury, residues, or other solid waste exhibits a characteristic of hazardous waste, it must be managed in compliance with all applicable requirements of 35 Ill. Adm. Code 702 through 705, 720 through 726, and 728. The handler is considered the generator of the mercury, residues, or other waste and shall manage it is subject to 35 Ill. Adm. Code 722.
    - C) If the mercury, residues, or other solid waste is not hazardous, the handler may manage the waste in any way that is in compliance with applicable federal, state, or local solid (nonhazardous) waste regulations.
- BOARD NOTE: See generally the Act and 35 Ill. Adm. Code 807 through 817 to determine whether additional facility siting, special waste, or nonhazardous waste landfills apply to the waste. Consult the ordinances of relevant units of local government to determine whether local requirements apply.

## Section 733.114 Labeling and Marking

- A small quantity handler of universal waste shall label or mark the universal waste to identify the type of universal waste as follows:
- a) Universal waste batteries (i.e., each battery) or a container in which the batteries are contained must be labeled or marked clearly with any one of the following phrases: "Universal Waste-Batteries", "Waste Battery(ies)", or "Used Battery(ies)";
  - b) A container (or multiple container package unit), tank, transport vehicle, or vessel in which recalled universal waste pesticides, as described in Section 733.103(a)(1), are contained must be labeled or marked clearly as follows:
    - 1) The label that was on or accompanied the product as sold or distributed; and
    - 2) The words "Universal Waste-Pesticide(s)" or "Waste-Pesticide(s)";
  - c) A container, tank, or transport vehicle, or vessel in which unused pesticide products, as described in Section 733.103(a)(2), are contained must be labeled or marked clearly as follows:
    - 1) Pesticide labeling:

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- A) The label that was on the product when purchased, if still legible;
- B) If using the labels described in subsection (c)(1)(A) above is not feasible, the appropriate label as required under USDOT regulation 49 CFR 172; or
- C) If using the labels described in subsections (c)(1)(A) and (c)(1)(B) above is not feasible, another label prescribed or designated by the waste pesticide collection program administered or recognized by a state; and
- 2) The words "Universal Waste-Pesticide(s)" or "Waste-Pesticide(s)"; and
- d) Universal waste thermostats (i.e., each thermostat) or a container in which the thermostats are contained must be labeled or marked clearly with any one of the following phrases: "Universal Waste-Mercury Thermostat(s)", or "Waste Mercury Thermostat(s)", or "Used Mercury Thermostat(s)".

**Section 733.115 Accumulation Time Limits**

- a) A small quantity handler of universal waste may accumulate universal waste for no longer than one year from the date the universal waste is generated or received from another handler, unless the requirements of subsection (b) below are met.
- b) A small quantity handler of universal waste may accumulate universal waste for longer than one year from the date the universal waste is generated or received from another handler if such activity is solely for the purpose of accumulation of such quantities of universal waste as are necessary to facilitate proper recovery, treatment, or disposal.
- c) A small quantity handler of universal waste that accumulates universal waste shall be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received. The handler may make this demonstration in any of the following ways:
  - 1) placing the universal waste in a container and marking or labeling the container with the earliest date that any universal waste in the container became a waste or was received;
  - 2) Marking or labeling each individual item or universal waste (e.g., each battery or thermostat) with the date it became a waste or was received;
  - 3) Maintaining an on-site inventory system that identifies the date each universal waste became a waste or was received;
  - 4) Maintaining an on-site inventory system that identifies the earliest date that any universal waste in a group of universal waste items or a group of containers of universal waste became a

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- 5) Placing the universal waste in a specific accumulation area and identifying the earliest date that any universal waste in the area became a waste or was received; or
- 6) Any other method that clearly demonstrates the length of time that the universal waste has been accumulated from the date it became a waste or was received.

**Section 733.116 Employee Training**

A small quantity handler of universal waste shall inform all employees who handle or have responsibility of managing universal waste. The information must describe proper handling and emergency procedures appropriate to the type(s) of universal waste handled at the facility.

**Section 733.117 Response to Releases**

- a) A small quantity handler of universal waste shall immediately contain all releases of universal waste and other residues from universal waste.
- b) A small quantity handler of universal waste shall determine whether any material resulting from the release is hazardous waste, and if so, shall manage the hazardous waste in compliance with all applicable requirements of 35 Ill. Adm. Code 702 through 705, 720 through 726, and 728. The handler is considered the generator of the material resulting from the release and shall manage it in compliance with 35 Ill. Adm. Code 722.

**Section 733.118 Off-Site Shipments**

- a) A small quantity handler of universal waste is prohibited from sending or taking universal waste to a place other than another universal waste handler, a destination facility, or a foreign destination.
- b) If a small quantity handler of universal waste self-transport universal waste off-site, the handler becomes a universal waste transporter for those self-transportation activities and shall comply with the transporter requirements of 733.Subpart D while transporting the universal waste.
- c) If a universal waste being offered for off-site transportation meets the definition of hazardous materials under 49 CFR 171 through 180, a small quantity handler of universal waste shall package, label, mark, and placard the shipment and prepare the proper shipping papers in accordance with the applicable USDOT regulations under 49 CFR 172 through 180.
- d) Prior to sending a shipment of universal waste to another universal waste handler, the originating handler shall ensure that the receiving handler agrees to receive the shipment.
- e) If a small quantity handler of universal waste sends a shipment of



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universal waste to another handler or to a destination facility and the shipment is rejected by the receiving handler or destination facility, the originating handler shall either:

- 1) Receive the waste back when notified that the shipment has been rejected, or
- 2) Agree with the receiving handler on a destination facility to which the shipment will be sent.

f) A small quantity handler of universal waste may reject a shipment containing universal waste or a portion of a shipment containing universal waste that it has received from another handler. If a handler rejects a shipment or a portion of a shipment, it shall contact the originating handler to notify the originating handler of the rejection and to discuss reshipment of the load. The handler shall perform either of the following actions:

- 1) Send the shipment back to the originating handler, or
- 2) If agreed to by both the originating and receiving handler, send the shipment to a destination facility.

g) If a small quantity handler of universal waste receives a shipment containing hazardous waste that is not a universal waste, the handler shall immediately notify the Agency (Bureau of Land, Illinois EPA, 1001 North Grand Avenue, P.O. Box 19276, Springfield, Illinois 62794-9276 (telephone: 217-782-6761)) of the illegal shipment, and provide the name, address, and phone number of the originating shipper. The Agency will provide instructions for managing the hazardous waste.

h) If a small quantity handler of universal waste receives a shipment of non-hazardous, non-universal waste, the handler may manage the waste in any way that is in compliance with applicable federal, state, or local solid (nonhazardous) waste regulations.

BOARD NOTE: See generally the Act and 35 Ill. Adm. Code 807 through 817 to determine whether additional facility siting, special waste, or nonhazardous waste landfills apply to the waste. Consult the ordinances of relevant units of local government to determine whether local requirements apply.

**Section 733.119 Tracking Universal Waste Shipments**

A small quantity handler of universal waste is not required to keep records of shipments of universal waste.

**Section 733.120 Exports**

A small quantity handler of universal waste that sends universal waste to a foreign destination shall:

- a) Comply with the requirements applicable to a primary exporter in 35 Ill. Adm. Code 722.153; 722.156(a)(1) through (a)(4), (a)(6) and (b); and 722.157;
- b) Export such universal waste only upon consent of the receiving country

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and in conformance with the USEPA Acknowledgment of Consent, as defined in 35 Ill. Adm. Code 722.156(a)(1) through (a)(4), (a)(6) and (b); and

- c) Provide a copy of the USEPA Acknowledgment of Consent for the shipment to the transporter transporting the shipment for export.

**SUBPART C: STANDARDS FOR LARGE QUANTITY HANDLERS****Section 733.130 Applicability**

This Subpart applies to large quantity handlers of universal waste (as defined in Section 733.106).

**Section 733.131 Prohibitions**

A large quantity handler of universal waste is prohibited from the following:

- a) Disposing of universal waste; and
- b) Diluting or treating universal waste, except by responding to releases, as provided in Section 733.137, or by managing specific wastes, as provided in Section 733.133.

**Section 733.132 Notification**

a) Written notification of universal waste management.

- 1) Except as provided in subsections (a)(2) and (a)(3) below, a large quantity handler of universal waste shall have sent written notification of universal waste management to the Agency, and received a USEPA Identification Number, before meeting or exceeding the 5,000 kilogram storage limit.

- 2) A large quantity handler of universal waste that has already notified USEPA or the Agency of its hazardous waste management activities and has received a USEPA Identification Number is not required to renotify under this Section.

- 3) A large quantity handler of universal waste that manages recalled universal waste pesticides, as described in Section 733.103(a)(1), and that has sent notification to USEPA or the Agency, as required by 40 CFR 165, is not required to notify for those recalled universal waste pesticides under this Section.

b) This notification must include:

- 1) The universal waste handler's name and mailing address;
- 2) The name and business telephone number of the person at the universal waste handler's site who should be contacted regarding universal waste management activities;
- 3) The address or physical location of the universal waste management activities;
- 4) A list of all of the types of universal waste managed by the handler (e.g., batteries, pesticides, thermostats);
- 5) A statement indicating that the handler is accumulating more than 5,000 kilograms of universal waste at one time and the types of



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universal waste (e.g., batteries, pesticides, thermostats) the handler is accumulating above this quantity.

BOARD NOTE: At 60 Fed. Reg. 25520-21 (May 11, 1995), USEPA explained that the generator or consolidation point may use USEPA Form 8700-12 for notification. (To obtain USEPA Form 8700-12 call the Agency at 217-782-6761). USEPA further explained that it is not necessary for the handler to aggregate the amounts of waste at multiple non-contiguous sites for the purposes of the 5,000 kilogram determination.

## Section 733.133 Waste Management

a) Universal waste batteries. A large quantity handler of universal waste shall manage universal waste batteries in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

- 1) A large quantity handler of universal waste shall contain any universal waste battery that shows evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions in a container. The container must be closed, structurally sound, compatible with the contents of the battery, and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.
- 2) A large quantity handler of universal waste may conduct the following activities, as long as the casing of each individual battery cell is not breached and remains intact and closed (except that cells may be opened to remove electrolyte but must be immediately closed after removal):

- A) Sorting batteries by type;
  - B) Mixing battery types in one container;
  - C) Discharging batteries so as to remove the electric charge;
  - D) Regenerating used batteries;
  - E) Disassembling batteries or battery packs into individual batteries or cells;
  - F) Removing batteries from consumer products; or
  - G) Removing electrolyte from batteries.
- 3) A large quantity handler of universal waste that removes electrolyte from batteries or that generates other solid waste (e.g., battery pack materials, discarded consumer products) as a result of the activities listed above shall determine whether the electrolyte or other solid waste exhibits a characteristic of hazardous waste identified in 35 Ill. Adm. Code 721.Subpart C.
- A) If the electrolyte or other solid waste exhibits a characteristic of hazardous waste, it must be managed in compliance with all applicable requirements of 35 Ill. Adm. Code 702 through 705, 720 through 726, and 728. The handler is considered the generator of the hazardous electrolyte or other waste and is subject to 35 Ill. Adm. Code 722.
  - B) If the electrolyte or other solid waste is not hazardous,

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the handler may manage the waste in any way that is in compliance with applicable federal, state or local solid (nonhazardous) waste regulations.

BOARD NOTE: See generally the Act and 35 Ill. Adm. Code 807 through 817 to determine whether additional facility siting, special waste, or nonhazardous waste landfills apply to the waste. Consult the ordinances of relevant units of local government to determine whether local requirements apply.

b) Universal waste pesticides. A large quantity handler of universal waste shall manage universal waste pesticides in a way that prevents releases of any universal waste or component of a universal waste to the environment. The universal waste pesticides must be contained in one or more of the following:

- 1) A container that remains closed, structurally sound, compatible with the pesticide, and that lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions;
  - 2) A container that does not meet the requirements of subsection (b)(1) above, provided that the unacceptable container is overpacked in a container that does meet the requirements of subsection (b)(1);
  - 3) A tank that meets the requirements of 35 Ill. Adm. Code 725.Subpart J, except for 35 Ill. Adm. Code 725.297(c), 725.300, and 725.301; or
  - 4) A transport vehicle or vessel that is closed, structurally sound, and compatible with the pesticide, and that lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.
- c) Universal waste thermostats. A large quantity handler of universal waste shall manage universal waste thermostats in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

- 1) A large quantity handler of universal waste shall contain any universal waste thermostat that shows evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions in a container. The container must be closed, structurally sound, compatible with the contents of the thermostat, and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.
- 2) A large quantity handler of universal waste may remove mercury-containing ampules from universal waste thermostats provided the handler follows each of the following procedures:
  - A) It removes the ampules in a manner designed to prevent breakage of the ampules;
  - B) It removes ampules only over or in a containment device (e.g., tray or pan sufficient to collect and contain any mercury released from an ampule in case of breakage);

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- C) It ensures that a mercury clean-up system is readily available to immediately transfer any mercury resulting from spills or leaks from broken ampules, from the containment device to a container that meets the requirements of 35 Ill. Adm. Code 722.134;
- D) It immediately transfers any mercury resulting from spills or leaks from broken ampules from the containment device to a container that meets the requirements of 35 Ill. Adm. Code 722.134;
- E) It ensures that the area in which ampules are removed is well ventilated and monitored to ensure compliance with applicable OSHA exposure levels of mercury;
- F) It ensures that employees removing ampules are thoroughly familiar with proper waste mercury handling and emergency procedures, including transfer of mercury from containment devices to appropriate containers;
- G) It stores removed ampules in closed, non-leaking containers that are in good condition;
- H) It packs removed ampules in the container with packing materials adequate to prevent breakage during storage, handling, and transportation.
- 3) Required hazardous waste determination and further waste management.
- A) A large quantity handler of universal waste that removes mercury-containing ampules from thermostats shall determine whether the following exhibit a characteristic of hazardous waste identified in 35 Ill. Adm. Code 721.Subpart C.
- i) Mercury or clean-up residues resulting from spills or leaks; or
  - ii) Other solid waste generated as a result of the removal of mercury-containing ampules (e.g., remaining thermostat units).
- B) If the mercury, residues, or other solid waste exhibits a characteristic of hazardous waste, it must be managed in compliance with all applicable requirements of 35 Ill. Adm. Code 702 thorough 705, 720 through 726 and 728. The handler is considered the generator of the mercury, residues, or other waste and is subject to 35 Ill. Adm. Code 722.
- C) If the mercury, residues, or other solid waste is not hazardous, the handler may manage the waste in any way that is in compliance with applicable federal, state or local solid (nonhazardous) waste regulations.
- BOARD NOTE: See generally the Act and 35 Ill. Adm. Code 807 through 817 to determine whether additional facility siting, special waste, or nonhazardous waste landfills apply to the waste. Consult the ordinances of relevant units of local government to determine whether local requirements apply.

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## Section 733.134 Labeling and Marking

A large quantity handler of universal waste shall label or mark the universal waste to identify the type of universal waste as follows:

- a) Universal waste batteries (i.e., each battery), or a container or tank in which the batteries are contained, must be labeled or marked clearly with any one of the following phrases: "Universal Waste-Battery(ies)"; or "Waste Battery(ies)"; or "Used Battery(ies)";
- b) A container (or multiple container package unit), tank, transport vehicle or vessel in which recalled universal waste pesticides as described in Section 733.103(a)(1) are contained must be labeled or marked clearly as follows:
  - 1) The label that was on or accompanied the product as sold or distributed; and
  - 2) The words "Universal Waste-Pesticide(s)" or "Waste-Pesticide(s)";
- c) A container, tank, or transport vehicle or vessel in which unused pesticide products, as described in Section 733.103(a)(2), are contained must be labeled or marked clearly as follows:
  - 1) Pesticide labeling:
    - A) The label that was on the product when purchased, if still legible;
    - B) If using the labels described in Subsection (c)(1)(A) above is not feasible, the appropriate label as required under the USDOT regulation 49 CFR 172; or
  - C) If using the labels described in subsections (c)(1)(A) and (c)(1)(B) above is not feasible, another label prescribed or designated by the pesticide collection program; and
- 2) The words "Universal Waste-Pesticide(s)" or "Waste-Pesticide(s)"; and

- d) Universal waste thermostats (i.e., each thermostat) or a container or tank in which the thermostats are contained must be labeled or marked clearly with any one of the following phrases: "Universal Waste-Mercury Thermostat(s)", or "Waste Mercury Thermostat(s)" or "Used Mercury Thermostat(s)".

## Section 733.135 Accumulation Time Limits

- a) A large quantity handler of universal waste may accumulate universal waste for no longer than one year from the date the universal waste is generated or received from another handler, unless the requirements of subsection (b) below are met.
- b) A large quantity handler of universal waste may accumulate universal waste for longer than one year from the date the universal waste is generated or received from another handler if such activity is solely for the purpose of accumulation of such quantities of universal waste as necessary to facilitate proper recovery, treatment, or disposal. However, the handler bears the burden of proving that such activity was solely for the purpose of accumulation of such quantities of



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universal waste as necessary to facilitate proper recovery, treatment, or disposal.

- c) A large quantity handler of universal waste shall be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received. The handler may make this demonstration in any of the following ways:

- 1) Placing the universal waste in a container and marking or labeling the container with the earliest date that any universal waste in the container became a waste or was received;
- 2) Marking or labeling the individual item of universal waste (e.g., each battery or thermostat) with the date it became a waste or was received;
- 3) Maintaining an on-site inventory system that identifies the date the universal waste being accumulated became a waste or was received;
- 4) Maintaining an on-site inventory system that identifies the earliest date that any universal waste in a group of universal waste items or a group of containers of universal waste became a waste or was received;
- 5) Placing the universal waste in a specific accumulation area and identifying the earliest date that any universal waste in the area became a waste or was received; or
- 6) Any other method that clearly demonstrates the length of time that the universal waste has been accumulated from the date it became a waste or was received.

**Section 733.136 Employee Training**

A large quantity handler of universal waste shall ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relative to their responsibilities during normal facility operations and emergencies.

**Section 733.137 Response to Releases**

- a) A large quantity handler of universal waste shall immediately contain all releases of universal waste and other residues from universal waste.
- b) A large quantity handler of universal waste shall determine whether any material resulting from the release is hazardous waste, and if so, shall manage the hazardous waste in compliance with all applicable requirements of 35 Ill. Adm. Code 702 through 705, 720 through 726, and 728. The handler is considered the generator of the material resulting from the release, and is subject to 35 Ill. Adm. Code 722.

**Section 733.138 Off-Site Shipments**

- a) A large quantity handler of universal waste is prohibited from sending

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or taking universal waste to a place other than another universal waste handler, a destination facility, or a foreign destination.

- b) If a large quantity handler of universal waste self-transport universal waste off-site, the handler becomes a universal waste transporter for those self-transportation activities and shall comply with the transporter requirements of 733.Subpart D of this Part while transporting the universal waste.

- c) If a universal waste being offered for off-site transportation meets the definition of hazardous materials under 49 CFR 171 through 180, a large quantity handler of universal waste shall package, label, mark and placard the shipment, and prepare the proper shipping papers in accordance with the applicable USDOT regulations under 49 CFR 172 through 180.

- d) Prior to sending a shipment of universal waste to another universal waste handler, the originating handler shall ensure that the receiving handler agrees to receive the shipment.

- e) If a large quantity handler of universal waste sends a shipment of universal waste to another handler or to a destination facility and the shipment is rejected by the receiving handler or destination facility, the originating handler shall either:

- 1) Receive the waste back when notified that the shipment has been rejected, or
- 2) Agree with the receiving handler on a destination facility to which the shipment will be sent.

- f) A large quantity handler of universal waste may reject a shipment containing universal waste, or a portion of a shipment containing universal waste that it has received from another handler. If a handler rejects a shipment or a portion of a shipment, it shall contact the originating handler to notify the originating handler of the rejection and to discuss reshipment of the load. The handler shall perform either of the following actions:

- 1) Send the shipment back to the originating handler, or
- 2) If agreed to by both the originating and receiving handler, send the shipment to a destination facility.

- g) If a large quantity handler of universal waste receives a shipment containing hazardous waste that is not a universal waste, the handler shall immediately notify the Agency (Bureau of Land, Illinois EPA, 1001 North Grand Avenue, P.O. Box 19276, Springfield, Illinois 62794-9276 (telephone: 217-782-6761)) of the illegal shipment, and provide the name, address, and phone number of the originating shipper. The Agency will provide instructions for managing the hazardous waste.

- h) If a large quantity handler of universal waste receives a shipment of non-hazardous, non-universal waste, the handler may manage the waste in any way that is in compliance with applicable federal, state or local solid (nonhazardous) waste regulations.

BOARD NOTE: See generally the Act and 35 Ill. Adm. Code 807 through 817 to determine whether additional facility siting, special waste, or



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nonhazardous waste landfills apply to the waste. Consult the ordinances of relevant units of local government to determine whether local requirements apply.

**Section 733.139 Tracking Universal Waste Shipments**

a) Receipt of shipments. A large quantity handler of universal waste shall keep a record of each shipment of universal waste received at the facility. The record may take the form of a log, invoice, manifest, bill of lading, or other shipping document. The record for each shipment of universal waste received must include the following information:

- 1) The name and address of the originating universal waste handler or foreign shipper from whom the universal waste was sent;
- 2) The quantity of each type of universal waste received (e.g., batteries, pesticides, thermostats);
- 3) The date of receipt of the shipment of universal waste.

b) Shipments off-site. A large quantity handler of universal waste shall keep a record of each shipment of universal waste sent from the handler to other facilities. The record may take the form of a log, invoice, manifest, bill of lading or other shipping document. The record for each shipment of universal waste sent must include the following information:

- 1) The name and address of the universal waste handler, destination facility, or foreign destination to whom the universal waste was sent;
- 2) The quantity of each type of universal waste sent (e.g., batteries, pesticides, thermostats);
- 3) The date the shipment of universal waste left the facility.

c) Record Retention.

- 1) A large quantity handler of universal waste shall retain the records described in subsection (a) above for at least three years from the date of receipt of a shipment of universal waste.
- 2) A large quantity handler of universal waste shall retain the records described in subsection (b) above for at least three years from the date a shipment of universal waste left the facility.

**Section 733.140 Exports**

A large quantity handler of universal waste that sends universal waste to a foreign destination shall:

- a) Comply with the requirements applicable to a primary exporter in 35 Ill. Adm. Code 722.153; 722.156(a)(1) through (a)(4), (a)(6) and (b); and 722.157;
- b) Export such universal waste only upon consent of the receiving country and in conformance with the USEPA Acknowledgement of Consent as defined in 35 Ill. Adm. Code 722.Subpart E; and

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- c) Provide a copy of the USEPA Acknowledgement of Consent for the shipment to the transporter transporting the shipment for export.

**SUBPART D: STANDARDS FOR UNIVERSAL WASTE TRANSPORTERS****Section 733.150 Applicability**

This Subpart applies to universal waste transporters (as defined in Section 733.106).

**Section 733.151 Prohibitions**

A universal waste transporter is prohibited from the following:

- a) Disposing of universal waste; and
- b) Diluting or treating universal waste, except by responding to releases as provided in Section 733.154.

**Section 733.152 Waste Management**

- a) A universal waste transporter shall comply with all applicable USDOT regulations in 49 CFR 171 through 180 for transport of any universal waste that meets the definition of hazardous material in 49 CFR 171.8, incorporated by reference in Section 720.111. For purposes of the USDOT regulations, a material is considered a hazardous waste if it is subject to the Hazardous Waste Manifest Requirements of 35 Ill. Adm. Code 722. Because universal waste does not require a hazardous waste manifest, it is not considered hazardous waste under the USDOT regulations.

- b) Some universal waste materials are regulated by the USDOT as hazardous materials because they meet the criteria for one or more hazardous classes specified in 49 CFR 173.2, incorporated by reference in Section 720.111. As universal shipments do not require a manifest under 35 Ill. Adm. Code 722, they may not be described by the USDOT proper shipping name "hazardous waste, (1) or (s), n.o.s.", nor may the hazardous materials' proper shipping name be modified by adding the word "waste".

**Section 733.153 Accumulation Time Limits**

- a) A universal waste transporter may only store the universal waste at a universal waste transfer facility for ten days or less.
- b) If a universal waste transporter stores universal waste for more than ten days, the transporter becomes a universal waste handler and shall comply with the applicable requirements of 733.Subpart B or C while sorting the universal waste.

**Section 733.154 Response to Releases**

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- a) A universal waste transporter shall immediately contain all releases of universal waste and other residues from universal wastes.
- b) A universal waste transporter shall determine whether any material resulting from the release is hazardous waste, and if so, it is subject to all applicable requirements of 35 Ill. Adm. Code 702 through 705, 720 through 726, and 728. If the waste is determined to be a hazardous waste, the transporter is subject to 35 Ill. Adm. Code 722.

**Section 733.155 Off-Site Shipments**

- a) A universal waste transporter is prohibited from transporting the universal waste to a place other than a universal waste handler, a destination facility, or a foreign destination.
- b) If the universal waste being shipped off-site meets USDOT's definition of hazardous materials under 49 CFR 171.8, incorporated by reference in Section 720.111, the shipment must be properly described on a shipping paper in accordance with the applicable USDOT regulations under 49 CFR part 172.

**Section 733.156 Exports**

A universal waste transporter transporting a shipment of universal waste to a foreign destination may not accept a shipment if the transporter knows the shipment does not conform to the USEPA Acknowledgement of Consent. In addition, the transporter shall ensure the following:

- a) A copy of the USEPA Acknowledgment of Consent accompanies the shipment; and
- b) The shipment is delivered to the facility designated by the person initiating the shipment.

**SUBPART E: STANDARDS FOR DESTINATION FACILITIES****Section 733.160 Applicability**

- a) The owner or operator of a destination facility (as defined in Section 733.106) is subject to all applicable requirements of 35 Ill. Adm. Code 702 through 705, 720 through 726, and 728, and the notification requirement under Section 3010 of RCRA.
- b) The owner or operator of a designation facility that recycles a particular universal waste without storing that universal waste before it is recycled shall comply with 35 Ill. Adm. Code 721.106(c)(2).

**Section 733.161 Off-Site Shipments**

- a) The owner or operator of a destination facility is prohibited from sending or taking universal waste to a place other than a universal waste handler, another destination facility, or a foreign destination.

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- b) The owner or operator of a destination facility may reject a shipment containing universal waste, or a portion of a shipment containing universal waste. If the owner or operator of the destination facility rejects a shipment or a portion of a shipment, it shall contact the shipper to notify the shipper of the rejection and to discuss reshipment of the load. The owner or operator of the destination facility shall perform either of the following actions:
- 1) Send the shipment back to the original shipper, or
- 2) If agreed to by both the shipper and the owner or operator of the destination facility, send the shipment to another destination facility.
- c) If the owner or operator of a destination facility receives a shipment containing hazardous waste that is not a universal waste, the owner or operator of the destination facility shall immediately notify the Agency (Bureau of Land, Illinois EPA, 1001 North Grand Avenue, P.O. Box 19276, Springfield, Illinois 62794-9276 (telephone: 217-782-6761)) of the illegal shipment, and provide the name, address, and phone number of the shipper. The Agency will provide instructions for managing the hazardous waste.
- d) If the owner or operator of a destination facility receives a shipment of non-hazardous, non-universal waste, the owner or operator may manage the waste in any way that is in compliance with applicable federal or state solid (nonhazardous) waste regulations.
- BOARD NOTE:** See generally the Act and 35 Ill. Adm. Code 807 through 817 to determine whether additional facility siting, special waste, or nonhazardous waste landfills apply to the waste. Consult the ordinances of relevant units of local government to determine whether local requirements apply.

**Section 733.162 Tracking Universal Waste Shipments**

- a) The owner or operator of a destination facility shall keep a record of each shipment of universal waste received at the facility. The record may take the form of a log, invoice, manifest, bill of lading, or other shipping document. The record for each shipment of universal waste received must include the following information:
- 1) The name and address of the universal waste handler, destination facility, or foreign shipper from whom the universal waste was sent;
- 2) The quantity of each type of universal waste received (e.g., batteries, pesticides, thermostats);
- 3) The date of receipt of the shipment of universal waste.
- b) The owner or operator of a destination facility shall retain the records described in subsection (a) above for at least three years from the date of receipt of a shipment of universal waste.

**SUBPART F: IMPORT REQUIREMENTS**



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## Section 733.170 Imports

Persons managing universal waste that is imported from a foreign country into the United States are subject to the applicable requirements of this Part immediately after the waste enters the United States, as follows:

- a) A universal waste transporter is subject to the universal waste transporter requirements of 733.Subpart D.
- b) A universal waste handler is subject to the small or large quantity handler of universal waste requirements of 733.Subpart B or C, as applicable.
- c) An owner or operator of a destination facility is subject to the destination facility requirements of 733.Subpart E.

## SUBPART G: PETITIONS TO INCLUDE OTHER WASTES

## Section 733.180 General

- a) Any person seeking to add a hazardous waste or a category of hazardous waste to this Part may petition for a regulatory amendment as follows:

- 1) If USEPA has already added the waste or category of waste to 40 CFR 273: by identical-in-substance rulemaking, under Section 22.4(a) of the Act, 35 Ill. Adm. Code 101 and 102, 35 Ill. Adm. Code 720.120; or
- 2) If USEPA has not added the waste or category of waste to 40 CFR 273: by general rulemaking, under Sections 22.4(b) and 27 of the Act, 35 Ill. Adm. Code 101 and 102, this Subpart, and 35 Ill. Adm. Code 720.120 and 720.123.

**BOARD NOTE:** The Board cannot add a hazardous waste or category of hazardous waste to this Part by general rulemaking until USEPA either authorizes the Illinois universal waste regulations or otherwise authorizes the Board to add new categories of universal waste. The Board may, however, add a waste or category of waste by identical-in-substance rulemaking.

- b) Petitions for identical-in-substance rulemaking.
  - 1) Any petition for identical-in-substance rulemaking under subsection (a)(1) above must include a copy of the Federal Register notice(s) of adopted amendments in which USEPA promulgated the addition(s) to 40 CFR 273. The Board will evaluate any petition for identical-in-substance rulemaking based on the Federal Register notice(s).

- 2) If the petitioner desires expedited Board consideration of the proposed amendments to this Part (i.e., adoption within one year of the date of the Federal Register notice), it must explicitly request expedited consideration and set forth the arguments in favor of such consideration.

- c) Petitions for general rulemaking.

- 1) To be successful using the general rulemaking procedure under subsection (a)(2) above, the petitioner must demonstrate to the

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satisfaction of the Board that each of the following would be true of regulation under the universal waste regulations of this Part:

- A) It would be appropriate for the waste or category of waste;
  - B) It would improve management practices for the waste or category of waste; and
  - C) It would improve implementation of the hazardous waste program.
- 2) The petition must include the information required by 35 Ill. Adm. Code 720.120(b). The petition should also address as many of the factors listed in Section 733.181 as are appropriate for the waste or waste category addressed in the petition.
  - 3) The Board will evaluate petitions for general rulemaking and grant or deny the requested relief using the factors listed in Section 733.181. The decision will be based on the weight of evidence showing that regulation under this Part would fulfill the requirements of subsection (c)(1) above.

## Section 733.181 Factors for Petitions to Include Other Wastes

- a) Hazardous waste listing or characteristics. The waste or category of waste, as generated by a wide variety of generators, is listed in 35 Ill. Adm. Code 721.Subpart D, or (if not listed) a proportion of the waste stream exhibits one or more characteristics of hazardous waste identified in 35 Ill. Adm. Code 721.Subpart C. (When a characteristic waste is added to the universal waste regulations of this Part by using a generic name to identify the waste category (e.g., batteries), the definition of universal waste in 35 Ill. Adm. Code 720.110 and Section 733.106 will be amended to include only the hazardous waste portion of the waste category (e.g., hazardous waste batteries).) Thus, only the portion of the waste stream that does exhibit one or more characteristics (i.e., is hazardous waste) is subject to the universal regulations of this Part;
- b) Generation by a wide variety of types of facilities. The waste or category of waste is not exclusive to a specific industry or group of industries, is commonly generated by a wide variety of types of establishments (including, for example, households, retail and commercial businesses, office complexes, conditionally exempt small quantity generators, small businesses, government organizations, as well as large industrial facilities);
- c) Generation by a large number of generators. The waste or category of waste is generated by a large number of generators (e.g., more than 1,000 nationally) and is frequently generated in relatively small quantities by each generator;
- d) Collection systems to ensure close stewardship. Systems to be used for collecting the waste or category of waste (including packaging, marking, and labeling practices) would ensure close stewardship of the waste;



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- e) Waste management standards and risk to human health and the environment. The risk posed by the waste or category of waste during accumulation and transport is relatively low compared to other hazardous wastes, and specific management standards proposed or referenced by the petitioner (e.g., waste management requirements appropriate to be added to Sections 733.113, 733.133, and 733.152; or applicable USDOT requirements) would be protective of human health and the environment during accumulation and transport;
- f) Increased likelihood of diversion of waste from non-hazardous waste management systems. Regulation of the waste or category of waste under this Part will increase the likelihood that the waste will be diverted from non-hazardous waste management systems (e.g., the municipal waste stream, non-hazardous industrial or commercial waste stream, municipal sewer or stormwater systems) to recycling, treatment, or disposal in compliance with Subtitle C of RCRA;
- g) Improved implementation of the hazardous waste program. Regulation of the waste or category of waste under this Part will improve implementation of and compliance with the hazardous waste regulatory program; or
- h) Such other factors as may be appropriate.

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Developmental Disabilities Service
- 2) Code Citation: 89 Ill. Adm. Code 144
- 3) Section Numbers: Adopted Action:  
144.50 New Section
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]
- 5) Effective Date of Amendments: August 1, 1996
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these Amendments contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: August 1, 1996
- 9) Notice of Proposal Published in Illinois Register: April 12, 1996 (20 Ill. Reg. 5434)
- 10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No
- 11) Differences between proposal and final version: The following changes have been made in the text of the proposed rulemaking.  
  
In the first sentence of subsection (b)(2), "If the facility feels" has been changed to "If the facility believes".  
  
Subsection (d) has been revised to read, "Use of IOC Data in Rate Calculation".  
  
In the last sentence of subsection (d), "Illinois Administrative Procedures Act" has been changed to read, "Illinois Administrative Procedure Act".  
  
No other changes have been made in the text of the proposed amendments.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these Amendments replace Emergency Amendments currently in effect?  
No
- 14) Are there any Amendments pending on this Part? Yes

Sections Proposed Action      Illinois Register Citation

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

144.100 Repeal; New Section May 24, 1996 (20 Ill. Reg. 7302)

- 15) Summary and Purpose of Amendments: These amendments provide for an appeal process of residential assessments conducted by the Inspection of Care (IOC) team in facilities for persons with developmental disabilities (ICF/MR). According to these amendments, a facility may request such an appeal if it believes an assessment does not accurately reflect the conditions of its residents. Examples of conditions which may be appealable include level of functioning, medical and behavioral add-ons, and special transportation needs. This appeal process has potential for affecting facility rates since IOC data are utilized in reimbursement calculations.

These amendments have resulted from the recommendations of an interagency transition committee since current rules pertaining to ICF/MR facilities do not contain an IOC appeal process. Staff from the Departments of Public Aid, Public Health and Mental Health and Developmental Disabilities drafted the proposed amendments which have been shared with the transition committee and trade associations for review and comment.

- 16) Information and questions regarding these Adopted Amendments shall be directed to:

Joanne Jones  
Bureau of Rules and Regulations  
Illinois Department of Public Aid  
100 South Grand Avenue East, Third Floor  
Springfield, Illinois 62762  
Telephone: (217) 524-0081

The full text of the Adopted Amendments begins on the next page:

## DEPARTMENT OF PUBLIC AID

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TITLE 89: SOCIAL SERVICES  
CHAPTER I: DEPARTMENT OF PUBLIC AID  
SUBCHAPTER d: MEDICAL PROGRAMS

PART 144  
DEVELOPMENTAL DISABILITIES SERVICES

Section	
144.1	Incorporation By Reference
144.5	Determination of Program (Active Treatment) Costs
144.25	ICF/MR Service Criteria
144.50	Inspection of Care and Rate Setting Appeal Process <del>Inspection-of-Care</del> <del>(ICF/MR Service Criteria)</del> <del>for the Evaluation-of-Active-Treatment-Services</del> <del>in-Residential-Facilities-for--Individuals--with--Developmental</del> <del>Disabilities--(Repealed)</del>
144.75	Comprehensive Functional Assessments and Reassessments (Repealed)
144.100	Interdisciplinary Team (IDT) (Repealed)
144.105	Individual Program Plan (IPP) (Repealed)
144.125	Specialized Care - Behavior Development Programs
144.150	Specialized Care - Health and Sensory Disabilities
144.175	Functional Needs
144.200	Service Needs - Medical Care (Repealed)
144.205	Service Needs - Medical and Therapy Services (Repealed)
144.225	Individual Rights (Repealed)
144.230	Reconciliation of Resident Funds
144.250	Discharge Planning/Maximum Growth Potential Plan (Repealed)
144.275	Reimbursement for Program (Active Treatment) Costs in Residential Facilities for Clients with Developmental Disabilities
144.300	Reimbursement for Program (Active Treatment) Costs in Small Scale Residential Facilities
144.325	Capital Rate Calculation
TABLE A	Overview of Staff Intensity Scale of Maladaptive Behaviors
TABLE B	Staff Intensity Scale
TABLE C	IPP Outcomes (Repealed)
TABLE D	Guidelines for Determining Levels of Functioning
TABLE E	Standardized Adaptive Functional Assessment

AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act [20 ILCS 2215/Art. III] and implementing and authorized by Articles III, IV, V, VI and Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V, VI and 12-13].

SOURCE: Adopted at 14 Ill. Reg. 4166, effective March 9, 1990; Section 144.275 recodified from 89 Ill. Adm. Code 146.225 at 14 Ill. Reg. 7651; amended at 14 Ill. Reg. 17988, effective October 29, 1990; amended at 15 Ill. Reg. 14084, effective September 24, 1991; emergency amendment at 15 Ill. Reg. 16148, effective October 22, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3497, effective February 28, 1992; amended at 16 Ill. Reg. 5898, effective

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March 20, 1992; amended at 17 Ill. Reg. 8478, effective June 1, 1993; amended at 17 Ill. Reg. 11480, effective July 16, 1993; emergency amendment at 17 Ill. Reg. 15126, effective September 2, 1993, for a maximum of 150 days; emergency amendment suspended effective October 12, 1993; emergency amendment repealed at 17 Ill. Reg. 22582, effective December 20, 1993; emergency amendment at 18 Ill. Reg. 11314, effective July 1, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16619, effective October 27, 1994; amended at 19 Ill. Reg. 2890, effective February 22, 1995; amended at 19 Ill. Reg. 7906, effective June 5, 1995; amended at 20 Ill. Reg. 6916, effective May 6, 1996; emergency amendment at 20 Ill. Reg. 7426, effective May 24, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 9072, effective June 28, 1996; amended at 20 Ill. Reg. 11326, effective AUG 01 1996.

**Section 144.50 Inspection of Care and Rate Setting Appeal Process Inspection of--(IOC)--Review-Criteria-for-the-Bvaluation-of-Active-Treatment-Services in-Residential-Facilities--for--Individuals--with--Developmental--Disabilities (repeated)**

**a) Inspection of Care Appeal Process**

1) Resident Assessment - A facility may request an appeal of the resident assessment conducted by the Inspection of Care (IOC) team. Examples of conditions which may be appealed include level of functioning (IQ, results of functional assessments and existence of related conditions), medical add-ons, behavioral add-ons, major life area limitations, special transportation needs, special care nursing and information on the developmental training agency attended. Differences between the facility and the IOC team regarding the conditions of the residents will be addressed using a three-step approach:

- A) exit conference discussion between the facility and the IOC team;
  - B) informal review involving the Department of Public Health (DPH) regional supervisor and/or central office staff upon request by the facility; and
  - C) formal review to be heard by the Department of Mental Health and Developmental Disabilities' (DMHDD) management.
- 2) Incomplete Assessments - In order for an assessment to be appealable, the assessment must be completed prior to the exit conference to be included in the IOC.

**b) Examples of Appealable Situations**

- 1) If the facility believes the surveyor has misinterpreted the regulations, or the facility disagrees with the surveyor's recommendations pertinent to the resident's condition (examples are included in subsection (a)(1)), the facility may request an appeal.
- 2) If the facility believes that all assessment data pertinent to the individual's status/condition have not been reviewed, the facility may bring that data to the attention of the surveyor

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through the appeal process. Such information must have been part of the resident's record at the time of the assessment to be considered.

- 3) The facility has been surveyed because of a 25 percent Medicaid eligible population change, a State Developmental Center admission or because it is a new facility, and there is disagreement with the findings.

**c) Process and Time Frames**

- 1) Exit Conference - At the exit conference, the facility may state the service needs that it disputes. The facility is responsible for providing supporting data to the IOC team at the exit conference. When the differences are not reconciled through discussion, the facility may request an appeal. The facility shall submit the written appeal request stating the service needs in dispute. The appeal request and the supporting documentation provided by the facility shall be submitted to the IOC regional supervisor (with a copy of the appeal request to DPH's Division of Long Term Care (DLTC) Field Operations) within 14 calendar days after the IOC exit date.

- 2) Informal Review - Within 30 calendar days after receipt of the IOC appeal request and supporting documentation, the IOC regional supervisor and/or DPH central office staff will review the documentation and either uphold or overturn the surveyor's findings and shall provide written notification of the decision to the facility.

- 3) Formal Review - The facility may request a formal review of the informal review decision. Within ten calendar days after receipt of the decision from the regional supervisor, the facility shall submit a written request for a formal review to the Associate Director of the Division of Developmental Disabilities within DMHDD with a copy to the DLTC Field Operations within DPH.

A) The formal review shall be conducted not more than 30 days after the facility's request for such a review. Not fewer than 14 days prior to the scheduled review date, the Division of Developmental Disabilities will notify the facility in writing of the review date, with necessary instructions for the facility to request rescheduling if the date is not feasible for the facility.

- B) The Associate Director and/or his or her designee will preside over the formal review. During the review, DPH representatives shall present the basis for the decision reached at the informal level of the review. The facility shall present its documentation and DMHDD shall apply policy as it relates to the findings under dispute. The Associate Director shall send to the facility a written decision rendered as a result of the formal review within ten calendar days after the hearing with a copy to DPH. The decision of the Associate Director is final.



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- 4) Continuation of an appeal is contingent upon following the steps and timeframes established in this Section.

d) Use of IOC Data in Rate Calculation  
 DMHDD will explain the use of IOC data in rate calculations upon written or telephone requests and/or personal visits. DMHDD will correct any errors in processing or using this IOC data to calculate rates. Rate methodology is promulgated by rulemaking according to the Illinois Administrative Procedure Act and is subject to review only through the formal rulemaking comment and hearing process.

(Source: Section repealed at 18 Ill. Reg. 16619, effective October 27, 1994; new Section added at 20 Ill. Reg. **11326**, effective **AUG 01 1996**)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Medical Payment
- 2) Code Citation: 89 Ill. Adm. Code 140
- 3) Section Numbers: Adopted Action:  
140.539 Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 IUCS 5/12-13]
- 5) Effective Date of Amendments: August 1, 1996
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these Amendments contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: August 1, 1996
- 9) Notice of Proposal Published in Illinois Register: April 12, 1996 (20 Ill. Reg. 5448)
- 10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No
- 11) Differences between proposal and final version: The following changes have been made in the proposed amendments.  

In subsection (a)(1), "(77 Ill. Adm. Code 395.300)" has been changed to "(77 Ill. Adm. Code 395.110)".

In subsection (a)(1)(C), the comma after "fringe benefits" has been stricken, commas have been added after "unemployment insurance" and "worker's compensation", and both occurrences of "and" have been stricken from the second and third lines of the subsection.

In subsection (b)(1), "(77 Ill. Adm. Code 395.300)" and "(77 Ill. Adm. Code 395.400(g))" have been stricken.

In subsection (b)(6), "(77 Ill. Adm. Code 395.400(g))" has been stricken.

No other changes have been made in the proposed rulemaking.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these Amendments replace Emergency Amendments currently in effect?  
No
- 14) Are there any Amendments pending on this Part? Yes

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## NOTICE OF ADOPTED AMENDMENTS

Section Numbers	Proposed Action	Illinois Register Citation
140.7	Amendment	August 25, 1995 (19 Ill. Reg. 12210)
140.9	Amendment	August 25, 1995 (19 Ill. Reg. 12210)
140.80	Amendment	July 12, 1996 (20 Ill. Reg. 8939)
140.84	Amendment	July 12, 1996 (20 Ill. Reg. 8939)
140.555	Amendment	July 12, 1996 (20 Ill. Reg. 8939)
140.560	Amendment	July 12, 1996 (20 Ill. Reg. 8939)
140.561	Amendment	July 12, 1996 (20 Ill. Reg. 8939)
140.566	Amendment	August 2, 1996 (20 Ill. Reg. 10286)
140.569	Amendment	July 26, 1996 (20 Ill. Reg. 9810)
140.578	Amendment	July 12, 1996 (20 Ill. Reg. 8939)

15) **Summary and Purpose of Amendments:** These adopted amendments are necessary to specify that reimbursement for costs associated with the clinical training of long term care nursing assistants and aides is made through the nursing assistant reimbursement process. An outdated reference to non-payment for clinical training that occurs in the facility of employment, has been stricken. Under these outdated provisions, reimbursement for the cost of such clinical training was included in the reimbursement system as reported on the facility's annual cost reports. According to the Office of Health Finance, staffing and salary costs associated with clinical training are not included under the regular cost related reimbursement system and are therefore not included in the facility's Medicaid per diem. The costs associated with clinical training must be covered through the nursing assistant reimbursement process regardless of where the training occurs.

Other technical changes are also being adopted to clarify that the Department provides coverage for the training of developmental disabilities aides, basic child care aides and habilitation aides, as well as nursing assistants.

16) **Information and questions regarding these Adopted Amendments shall be directed to:**

Joanne Jones  
Bureau of Rules and Regulations  
Illinois Department of Public Aid  
100 South Grand Avenue East, Third Floor  
Springfield, IL 62762  
(217) 524-0081

The full text of the Adopted Amendments begins on the next page:

## DEPARTMENT OF PUBLIC AID

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TITLE 89: SOCIAL SERVICES  
CHAPTER I: DEPARTMENT OF PUBLIC AID  
SUBCHAPTER d: MEDICAL PROGRAMS

PART 140  
MEDICAL PAYMENT

## SUBPART A: GENERAL PROVISIONS

Section	
140.1	Incorporation By Reference
140.2	Medical Assistance Programs
140.3	Covered Services Under Medical Assistance Programs
140.4	Covered Medical Services Under AFDC-WANG for non-pregnant persons who are 18 years of age or older (Repealed)
140.5	Covered Medical Services Under General Assistance
140.6	Medical Services Not Covered
140.7	Medical Assistance Provided to Individuals Under the Age of Eighteen Who Do Not Qualify for AFDC and Children Under Age Eight
140.8	Medical Assistance For Qualified Severely Impaired Individuals
140.9	Medical Assistance for a Pregnant Woman Who Would Not Be Categorically Eligible for AFDC/AFDC-WANG if the Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy
140.10	Medical Assistance Provided to Incarcerated Persons

## SUBPART B: MEDICAL PROVIDER PARTICIPATION

Section	
140.11	Enrollment Conditions for Medical Providers
140.12	Participation Requirements for Medical Providers
140.13	Definitions
140.14	Denial of Application to Participate in the Medical Assistance Program
140.15	Recovery of Money
140.16	Termination or Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program
140.17	Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program
140.18	Effect of Termination on Individuals Associated with Vendor
140.19	Application to Participate or for Reinstatement Subsequent to Termination, Suspension or Barring
140.20	Submittal of Claims
140.21	Covered Medicaid Services for Qualified Medicare Beneficiaries (QMBs)
140.22	Magnetic Tape Billings
140.23	Payment of Claims
140.24	Payment Procedures
140.25	Overpayment or Underpayment of Claims
140.26	Payment to Factors Prohibited

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140.27 Assignment of Vendor Payments  
 140.28 Record Requirements for Medical Providers  
 140.30 Audits  
 140.31 Emergency Services Audits  
 140.32 Prohibition on Participation, and Special Permission for Participation  
 140.33 Publication of List of Terminated, Suspended or Barred Entities  
 140.35 False Reporting and Other Fraudulent Activities  
 140.40 Prior Approval for Medical Services or Items  
 140.41 Prior Approval in Cases of Emergency  
 140.42 Limitation on Prior Approval  
 140.43 Post Approval for items or Services When Prior Approval Cannot Be Obtained  
 140.55 Recipient Eligibility Verification (REV) System  
 140.71 Reimbursement for Medical Services Through the Use of a C-13 Invoice  
 Voucher Advance Payment and Expedited Payments  
 140.72 Drug Manual (Recodified)  
 140.73 Drug Manual Updates (Recodified)

SUBPART C: PROVIDER ASSESSMENTS

Section  
 140.80 Hospital Provider Fund  
 140.82 Developmentally Disabled Care Provider Fund  
 140.84 Long Term Care Provider Fund  
 140.94 Medicaid Developmentally Disabled Provider Participation Fee Trust  
 Fund/Medicaid Long Term Care Provider Participation Fee Trust Fund  
 140.95 Hospital Services Trust Fund  
 140.96 General Requirements (Recodified)  
 140.97 Special Requirements (Recodified)  
 140.98 Covered Hospital Services (Recodified)  
 140.99 Hospital Services Not Covered (Recodified)  
 140.100 Limitation On Hospital Services (Recodified)  
 140.101 Transplants (Recodified)  
 140.102 Heart Transplants (Recodified)  
 140.103 Liver Transplants (Recodified)  
 140.104 Bone Marrow Transplants (Recodified)  
 140.110 Disproportionate Share Hospital Adjustments (Recodified)  
 140.116 Payment for Inpatient Services for GA (Recodified)  
 140.117 Hospital Outpatient and Clinic Services (Recodified)  
 140.200 Payment for Hospital Services During Fiscal Year 1982 (Recodified)  
 140.201 Payment for Hospital Services After June 30, 1982 (Repealed)  
 140.202 Payment for Hospital Services During Fiscal Year 1983 (Recodified)  
 140.203 Limits on Length of Stay by Diagnosis (Recodified)  
 140.300 Payment for Pre-operative Days and Services Which Can Be Performed in an Outpatient Setting (Recodified)  
 140.350 Copayments (Recodified)  
 140.360 Payment Methodology (Recodified)

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NOTICE OF ADOPTED AMENDMENTS

140.361 Non-Participating Hospitals (Recodified)  
 140.362 Pre July 1, 1989 Services (Recodified)  
 140.363 Post June 30, 1989 Services (Recodified)  
 140.364 Prepayment Review (Recodified)  
 140.365 Base Year Costs (Recodified)  
 140.366 Restructuring Adjustment (Recodified)  
 140.367 Inflation Adjustment (Recodified)  
 140.368 Volume Adjustment (Repealed)  
 140.369 Groupings (Recodified)  
 140.370 Rate Calculation (Recodified)  
 140.371 Payment (Recodified)  
 140.372 Review Procedure (Recodified)  
 140.373 Utilization (Repealed)  
 140.374 Alternatives (Recodified)  
 140.375 Exemptions (Recodified)  
 140.376 Utilization, Case-Mix and Discretionary Funds (Repealed)  
 140.390 Subacute Alcoholism and Substance Abuse Services (Recodified)  
 140.391 Definitions (Recodified)  
 140.392 Types of Subacute Alcoholism and Substance Abuse Services (Recodified)  
 140.394 Payment for Subacute Alcoholism and Substance Abuse Services (Recodified)  
 140.396 Rate Appeals for Subacute Alcoholism and Substance Abuse Services (Recodified)  
 140.398 Hearings (Recodified)

SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES

Section  
 140.400 Payment to Practitioners, Nurses and Laboratories  
 140.410 Physicians' Services  
 140.411 Covered Services By Physicians  
 140.412 Services Not Covered By Physicians  
 140.413 Limitation on Physician Services  
 140.414 Requirements for Prescriptions and Dispensing of Pharmacy Items - Physicians  
 140.416 Optometric Services and Materials  
 140.417 Limitations on Optometric Services  
 140.418 Department of Corrections Laboratory  
 140.420 Dental Services  
 140.421 Limitations on Dental Services  
 140.422 Requirements for Prescriptions and Dispensing Items of Pharmacy Items - Dentists  
 140.425 Podiatry Services  
 140.426 Limitations on Podiatry Services  
 140.427 Requirement for Prescriptions and Dispensing of Pharmacy Items - Podiatry  
 140.428 Chiropractic Services



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140.429	Limitations on Chiropractic Services (Repealed)
140.430	Independent Laboratory Services
140.431	Services Not Covered by Independent Laboratory
140.432	Limitations on Independent Laboratory Services
140.433	Payment for Laboratory Services
140.434	Record Requirements for Independent Laboratories
140.435	Nurse Services
140.436	Limitations on Nurse Services
140.440	Pharmacy Services
140.441	Pharmacy Services Not Covered
140.442	Prior Approval of Prescriptions
140.443	Filing of Prescriptions
140.444	Compounded Prescriptions
140.445	Legend Prescription Items (Not Compounded)
140.446	Over-the-Counter Items
140.447	Reimbursement
140.448	Returned Pharmacy Items
140.449	Payment of Pharmacy Items
140.450	Record Requirements for Pharmacies
140.452	Mental Health Clinic Services
140.453	Definitions
140.454	Types of Mental Health Clinic Services
140.455	Payment for Mental Health Clinic Services
140.456	Hearings
140.457	Therapy Services
140.458	Prior Approval for Therapy Services
140.459	Payment for Therapy Services
140.460	Clinic Services
140.461	Clinic Participation, Data and Certification Requirements
140.462	Covered Services in Clinics
140.463	Clinic Service Payment
140.464	Healthy Moms/Healthy Kids Managed Care Clinics (Repealed)
140.465	Speech and Hearing Clinics (Repealed)
140.466	Rural Health Clinics
140.467	Independent Clinics
140.469	Hospice
140.470	Home Health Services
140.471	Home Health Covered Services
140.472	Types of Home Health Services
140.473	Prior Approval for Home Health Services
140.474	Payment for Home Health Services
140.475	Medical Equipment, Supplies and Prosthetic Devices
140.476	Medical Equipment, Supplies and Prosthetic Devices for Which Payment Will Not Be Made
140.477	Limitations on Equipment, Supplies and Prosthetic Devices
140.478	Prior Approval for Medical Equipment, Supplies and Prosthetic Devices
140.479	Limitations, Medical Supplies
140.480	Equipment Rental Limitations

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140.481	Payment for Medical Equipment, Supplies and Prosthetic Devices
140.482	Family Planning Services
140.483	Limitations on Family Planning Services
140.484	Payment for Family Planning Services
140.485	Healthy Kids Program
140.486	Limitations on Medichex Services (Repealed)
140.487	Healthy Kids Program Timeliness Standards
140.488	Periodicity Schedule, Immunizations and Diagnostic Laboratory Procedures
140.490	Medical Transportation
140.491	Limitations on Medical Transportation
140.492	Payment for Medical Transportation
140.493	Payment for Helicopter Transportation
140.495	Psychological Services
140.496	Payment for Psychological Services
140.497	Hearing Aids

Section	SUBPART E: GROUP CARE
140.500	Long Term Care Services
140.502	Cessation of Payment at Federal Direction
140.503	Cessation of Payment for Improper Level of Care
140.504	Cessation of Payment Because of Termination of Facility
140.505	Continuation of Payment Because of Threat To Life (Repealed)
140.506	Provider Voluntary Withdrawal
140.507	Continuation of Provider Agreement
140.510	Determination of Need for Group Care
140.511	Long Term Care Services Covered by Department Payment
140.512	Utilization Control
140.513	Utilization Review Plan (Repealed)
140.514	Certifications and Recertifications of Care
140.515	Management of Recipient Funds--Personal Allowance Funds
140.516	Recipient Management of Funds
140.517	Correspondent Management of Funds
140.518	Facility Management of Funds
140.519	Use or Accumulation of Funds
140.520	Management of Recipient Funds--Local Office Responsibility
140.521	Room and Board Accounts
140.522	Reconciliation of Recipient Funds
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140.526	Quality Incentive Standards and Criteria for the Quality Incentive Program (QUIP) (Repealed)
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140.584	Illinois Municipal Retirement Fund (IMRF)
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140.855	Covered Services (Repealed)
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140.870	Department Responsibilities (Repealed)
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140.880	Provider Responsibilities (Repealed)
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140.890	Contract Monitoring (Repealed)
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SUBPART G: MATERNAL AND CHILD HEALTH PROGRAM

Section	Reimbursement For Nursing Costs For Geriatric Residents in Group Care Facilities (Recodified)
140.900	Functional Areas of Needs (Recodified)
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140.902	Definitions (Recodified)
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140.904 Times and Staff Levels (Repealed)  
140.905 Statewide Rates (Repealed)  
140.906 Reconsiderations (Recodified)  
140.907 Midnight Census Report (Recodified)  
140.908 Times and Staff Levels (Recodified)  
140.909 Statewide Rates (Recodified)  
140.910 Referrals (Recodified)  
140.911 Basic Rehabilitation Aide Training Program (Recodified)  
140.912 Interim Nursing Rates (Recodified)  
140.920 General Description  
140.922 Covered Services  
140.924 Maternal and Child Health Provider Participation Requirements  
140.926 Client Eligibility (Repealed)  
140.928 Client Enrollment and Program Components (Repealed)  
140.930 Reimbursement  
140.932 Payment Authorization for Referrals (Repealed)

SUBPART H: ILLINOIS COMPETITIVE ACCESS AND REIMBURSEMENT  
EQUITY (ICARE) PROGRAM

Section  
140.940 Illinois Competitive Access and Reimbursement Equity (ICARE) Program (Recodified)  
140.942 Definition of Terms (Recodified)  
140.944 Notification of Negotiations (Recodified)  
140.946 Hospital Participation in ICARE Program Negotiations (Recodified)  
140.948 Negotiation Procedures (Recodified)  
140.950 Factors Considered in Awarding ICARE Contracts (Recodified)  
140.952 Closing an ICARE Area (Recodified)  
140.954 Administrative Review (Recodified)  
140.956 Payments to Contracting Hospitals (Recodified)  
140.958 Admitting and Clinical Privileges (Recodified)  
140.960 Inpatient Hospital Care or Services by Non-Contracting Hospitals Eligible for Payment (Recodified)  
140.962 Payment to Hospitals for Inpatient Services or Care not Provided under the ICARE Program (Recodified)  
140.964 Contract Monitoring (Recodified)  
140.966 Transfer of Recipients (Recodified)  
140.968 Validity of Contracts (Recodified)  
140.970 Termination of ICARE Contracts (Recodified)  
140.972 Hospital Services Procurement Advisory Board (Recodified)

TABLE A Medichuk Recommended Screening Procedures (Repealed)  
TABLE B Health Service Areas  
TABLE C Capital Cost Areas  
TABLE D Schedule of Dental Procedures  
TABLE E Time Limits for Processing of Prior Approval Requests  
TABLE F Podiatry Service Schedule

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TABLE G Travel Distance Standards  
TABLE H Areas of Major Life Activity  
TABLE I Staff Time and Allocation for Training Programs (Recodified)  
TABLE J HSA Grouping (Repealed)  
TABLE K Services Qualifying for 10% Add-On (Repealed)  
TABLE L Services Qualifying for 10% Add-On to Surgical Incentive Add-On (Repealed)  
TABLE M Enhanced Rates for Maternal and Child Health Provider Services

AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act [20 ILCS 2215/Art. III] and implementing and authorized by Articles III, IV, V, VI and Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V, VI and 12-13].

SOURCE: Adopted at 3 Ill. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 Ill. Reg. 8374, effective July 6, 1982; emergency amendment at 6 Ill. Reg. 8508, effective July 6, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 681, effective December 30, 1982; amended at 7 Ill. Reg. 7956, effective July 1, 1983; amended at 7 Ill. Reg. 8308, effective July 1, 1983; amended at 7 Ill. Reg. 8271, effective July 5, 1983; emergency amendment at 7 Ill. Reg. 8354, effective July 5, 1983, for a maximum of 150 days; amended at 7 Ill. Reg. 8540, effective July 15, 1983; amended at 7 Ill. Reg. 9382, effective July 22, 1983; amended at 7 Ill. Reg. 12868, effective September 20, 1983; peremptory amendment at 7 Ill. Reg. 15047, effective October 31, 1983; amended at 7 Ill. Reg. 17358, effective December 21, 1983; amended at 8 Ill. Reg. 254, effective December 21, 1983; emergency amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150 days; codified at 8 Ill. Reg. 2483; amended at 8 Ill. Reg. 3012, effective February 22, 1984; amended at 8 Ill. Reg. 5262, effective April 9, 1984; amended at 8 Ill. Reg. 6785, effective April 27, 1984; amended at 8 Ill. Reg. 6983, effective May 9, 1984; amended at 8 Ill. Reg. 7258, effective May 16, 1984; emergency amendment at 8 Ill. Reg. 7910, effective May 22, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7910, effective June 1, 1984; amended at 8 Ill. Reg. 10032, effective June 18, 1984; emergency amendment at 8 Ill. Reg. 10062, effective June 20, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13343, effective July 17, 1984; amended at 8 Ill. Reg. 13779, effective July 24, 1984; Sections 140.72 and 140.73 recodified to 89 Ill. Adm. Code 141 at 8 Ill. Reg. 16354; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17899; peremptory amendment at 8 Ill. Reg. 18151, effective September 18, 1984; amended at 8 Ill. Reg. 21629, effective October 19, 1984; peremptory amendment at 8 Ill. Reg. 21677, effective October 24, 1984; amended at 8 Ill. Reg. 22097, effective October 24, 1984; peremptory amendment at 8 Ill. Reg. 22155, effective October 29, 1984; amended at 8 Ill. Reg. 23218, effective November 20, 1984; emergency amendment at 8 Ill. Reg. 23721, effective November 21, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 25067, effective December 19, 1984; emergency amendment at 9 Ill. Reg. 407, effective January 1, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 2697, effective February 22, 1985; amended at 9 Ill.



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Reg. 6235, effective April 19, 1985; amended at 9 Ill. Reg. 8677, effective May 28, 1985; amended at 9 Ill. Reg. 9564, effective June 5, 1985; amended at 9 Ill. Reg. 10025, effective June 26, 1985; emergency amendment at 9 Ill. Reg. 11403, effective June 27, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11357, effective June 28, 1985; amended at 9 Ill. Reg. 12000, effective July 24, 1985; amended at 9 Ill. Reg. 12306, effective August 5, 1985; amended at 9 Ill. Reg. 13998, effective September 3, 1985; amended at 9 Ill. Reg. 14684, effective September 13, 1985; amended at 9 Ill. Reg. 15503, effective October 4, 1985; amended at 9 Ill. Reg. 16312, effective October 11, 1985; amended at 9 Ill. Reg. 19138, effective December 2, 1985; amended at 9 Ill. Reg. 19737, effective December 9, 1985; amended at 10 Ill. Reg. 238, effective December 27, 1985; emergency amendment at 10 Ill. Reg. 798, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 672, effective January 6, 1986; amended at 10 Ill. Reg. 1206, effective January 13, 1986; amended at 10 Ill. Reg. 3041, effective January 24, 1986; amended at 10 Ill. Reg. 6981, effective April 16, 1986; amended at 10 Ill. Reg. 7825, effective April 30, 1986; amended at 10 Ill. Reg. 8128, effective May 7, 1986; emergency amendment at 10 Ill. Reg. 8912, effective May 13, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 11440, effective June 20, 1986; amended at 10 Ill. Reg. 14714, effective August 27, 1986; amended at 10 Ill. Reg. 15211, effective September 12, 1986; emergency amendment at 10 Ill. Reg. 16729, effective September 18, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 18808, effective October 24, 1986; amended at 10 Ill. Reg. 19742, effective November 12, 1986; amended at 10 Ill. Reg. 21784, effective December 15, 1986; amended at 11 Ill. Reg. 698, effective December 19, 1986; amended at 11 Ill. Reg. 1418, effective December 31, 1986; amended at 11 Ill. Reg. 2323, effective January 16, 1987; amended at 11 Ill. Reg. 4002, effective February 25, 1987; Section 140.71 recodified to 89 Ill. Adm. Code 141 at 11 Ill. Reg. 4302; amended at 11 Ill. Reg. 4303, effective March 6, 1987; amended at 11 Ill. Reg. 7664, effective April 15, 1987; emergency amendment at 11 Ill. Reg. 9342, effective April 20, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 9169, effective April 28, 1987; amended at 11 Ill. Reg. 10903, effective June 1, 1987; amended at 11 Ill. Reg. 11528, effective June 22, 1987; amended at 11 Ill. Reg. 12011, effective June 30, 1987; amended at 11 Ill. Reg. 12290, effective July 6, 1987; amended at 11 Ill. Reg. 14048, effective August 14, 1987; amended at 11 Ill. Reg. 14771, effective August 25, 1987; amended at 11 Ill. Reg. 17295, effective September 28, 1987; amended at 11 Ill. Reg. 17295, effective September 30, 1987; amended at 11 Ill. Reg. 18696, effective October 27, 1987; amended at 11 Ill. Reg. 20909, effective December 14, 1987; amended at 12 Ill. Reg. 916, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1960, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 5427, effective March 15, 1988; amended at 12 Ill. Reg. 6246, effective March 16, 1988; amended at 12 Ill. Reg. 6728, effective March 22, 1988; Sections 140.900 thru 140.912 and 140.914 Table H and 140.915 Table I recodified to 89 Ill. Adm. Code 147.5 thru 147.205 and 147.206 Table A and 147.207 Table B at 12 Ill. Reg. 6956; amended at 12 Ill. Reg. 6927, effective April 5, 1988; Sections 140.940 thru 140.972 recodified to 89 Ill. Adm. Code 149.5 thru 149.325 at 12 Ill. Reg. 7401; amended at 12 Ill. Reg. 7695, effective April 21, 1988; amended

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at 12 Ill. Reg. 10497, effective June 3, 1988; amended at 12 Ill. Reg. 10717, effective June 14, 1988; emergency amendment at 12 Ill. Reg. 11868, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12509, effective July 15, 1988; amended at 12 Ill. Reg. 14271, effective August 29, 1988; emergency amendment at 12 Ill. Reg. 16921, effective September 28, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16738, effective October 5, 1988; amended at 12 Ill. Reg. 17879, effective October 24, 1988; amended at 12 Ill. Reg. 18198, effective November 4, 1988; amended at 12 Ill. Reg. 19396, effective November 6, 1988; amended at 12 Ill. Reg. 19734, effective November 15, 1988; amended at 13 Ill. Reg. 125, effective January 1, 1989; amended at 13 Ill. Reg. 2475, effective February 14, 1989; amended at 13 Ill. Reg. 3069, 1989; amended at 13 Ill. Reg. 3917, effective March 17, 1989; amended at 13 Ill. Reg. 5115, effective April 3, 1989; amended at 13 Ill. Reg. 5718, effective April 10, 1989; amended at 13 Ill. Reg. 7025, effective April 24, 1989; Sections 140.850 thru 140.896 recodified to 89 Ill. Adm. Code 146.5 thru 146.225 at 13 Ill. Reg. 7040; amended at 13 Ill. Reg. 7786, effective May 20, 1989; Sections 140.94 thru 140.398 recodified to 89 Ill. Adm. Code 148.10 thru 148.390 at 13 Ill. Reg. 9572; emergency amendment at 13 Ill. Reg. 10977, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 11516\*, effective July 3, 1989; amended at 13 Ill. Reg. 12119, effective July 7, 1989; Section 140.110 recodified to 89 Ill. Adm. Code 148.120 at 13 Ill. Reg. 12118; amended at 13 Ill. Reg. 12562, effective July 17, 1989; amended at 13 Ill. Reg. 14391, effective August 31, 1989; emergency amendment at 13 Ill. Reg. 15473, effective September 12, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 16992, effective October 16, 1989; amended at 14 Ill. Reg. 190, effective December 21, 1989; amended at 14 Ill. Reg. 2564, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 3241, effective February 14, 1990, for a maximum of 150 days; emergency expired July 14, 1990; amended at 14 Ill. Reg. 4543, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 4577, effective March 6, 1990, for a maximum of 150 days; emergency expired August 3, 1990; emergency amendment at 14 Ill. Reg. 5575, effective April 1, 1990, for a maximum of 150 days; emergency expired August 29, 1990; emergency amendment at 14 Ill. Reg. 5865, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 7141, effective April 27, 1990; emergency amendment at 14 Ill. Reg. 7249, effective April 27, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 10062, effective June 12, 1990; amended at 14 Ill. Reg. 10409, effective June 19, 1990; emergency amendment at 14 Ill. Reg. 12082, effective July 5, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 13262, effective August 6, 1990; emergency amendment at 14 Ill. Reg. 14184, effective August 16, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 14570, effective August 22, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14826, effective August 31, 1990; amended at 14 Ill. Reg. 15366, effective September 12, 1990; amended at 14 Ill. Reg. 15981, effective September 21, 1990; amended at 14 Ill. Reg. 17279, effective October 12, 1990; amended at 14 Ill. Reg. 18057, effective October 22, 1990; amended at 14 Ill. Reg. 18508, effective October 30, 1990; amended at 14 Ill. Reg. 18813, effective November 6, 1990;

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amended at 14 Ill. Reg. 20478, effective December 7, 1990; amended at 14 Ill. Reg. 20729, effective December 12, 1990; amended at 15 Ill. Reg. 298, effective December 28, 1990; emergency amendment at 15 Ill. Reg. 592, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 1051, effective January 18, 1991; Section 140.569 withdrawn at 15 Ill. Reg. 1174; amended at 15 Ill. Reg. 6220, effective April 18, 1991; amended at 15 Ill. Reg. 6534, effective April 30, 1991; amended at 15 Ill. Reg. 8264, effective May 23, 1991; amended at 15 Ill. Reg. 8972, effective June 17, 1991; amended at 15 Ill. Reg. 10114, effective June 21, 1991; amended at 15 Ill. Reg. 10468, effective July 1, 1991; amended at 15 Ill. Reg. 11176, effective August 1, 1991; emergency amendment at 15 Ill. Reg. 11515, effective July 25, 1991, for a maximum of 150 days; emergency expired December 22, 1991; emergency amendment at 15 Ill. Reg. 12919, effective August 15, 1991, for a maximum of 150 days; emergency expired January 12, 1992; emergency amendment at 15 Ill. Reg. 16366, effective October 22, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 17318, effective November 18, 1991; amended at 15 Ill. Reg. 17733, effective November 22, 1991; emergency amendment at 16 Ill. Reg. 300, effective December 20, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 174, effective December 24, 1991; amended at 16 Ill. Reg. 1877, effective January 24, 1992; amended at 16 Ill. Reg. 3552, effective February 28, 1992; amended at 16 Ill. Reg. 4006, effective March 6, 1992; amended at 16 Ill. Reg. 6408, effective March 20, 1992; amended at 16 Ill. Reg. 6849, effective April 7, 1992; amended at 16 Ill. Reg. 7017, effective April 17, 1992; amended at 16 Ill. Reg. 10050, effective June 5, 1992; amended at 16 Ill. Reg. 11174, effective June 26, 1992; expedited correction at 16 Ill. Reg. 11348, effective March 20, 1992; emergency amendment at 16 Ill. Reg. 11947, effective July 10, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 12186, effective July 24, 1992; emergency amendment at 16 Ill. Reg. 13337, effective August 14, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 15109, effective September 21, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 15561, effective September 30, 1992; amended at 16 Ill. Reg. 17302, effective November 2, 1992; emergency amendment at 16 Ill. Reg. 18097, effective November 17, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19146, effective December 1, 1992; amended at 16 Ill. Reg. 19879, effective December 7, 1992; amended at 17 Ill. Reg. 837, effective January 11, 1993; amended at 17 Ill. Reg. 1112, effective January 15, 1993; amended at 17 Ill. Reg. 2290, effective February 15, 1993; amended at 17 Ill. Reg. 2951, effective February 17, 1993; amended at 17 Ill. Reg. 3421, effective February 19, 1993; amended at 17 Ill. Reg. 6196, effective April 5, 1993; amended at 17 Ill. Reg. 6839, effective April 21, 1993; amended at 17 Ill. Reg. 7004, effective May 17, 1993; expedited correction at 17 Ill. Reg. 7078, effective December 1, 1992; emergency amendment at 17 Ill. Reg. 11201, effective July 1, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 15162, effective September 2, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 18152, effective October 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 18571, effective October 8, 1993; emergency amendment at 17 Ill. Reg. 18611, effective October 1, 1993, for a maximum of 150 days; emergency amendment suspended effective October 12, 1993; amended at 17 Ill. Reg. 20999, effective November 24, 1993; emergency amendment

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repealed at 17 Ill. Reg. 22583, effective December 20, 1993; amended at 18 Ill. Reg. 3620, effective February 28, 1994; amended at 18 Ill. Reg. 4250, effective March 4, 1994; amended at 18 Ill. Reg. 5951, effective April 1, 1994; emergency amendment at 18 Ill. Reg. 10922, effective July 1, 1994, for a maximum of 150 days; emergency amendment suspended, effective November 15, 1994; emergency amendment repealed at 19 Ill. Reg. 5839, effective April 4, 1995; amended at 18 Ill. Reg. 11244, effective July 1, 1994; amended at 18 Ill. Reg. 14126, effective August 29, 1994; amended at 18 Ill. Reg. 16675, effective November 1, 1994; amended at 18 Ill. Reg. 18059, effective December 19, 1994; amended at 19 Ill. Reg. 1082, effective January 20, 1995; amended at 19 Ill. Reg. 2933, effective March 1, 1995; emergency amendment at 19 Ill. Reg. 3529, effective March 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 5663, effective April 1, 1995; amended at 19 Ill. Reg. 7919, effective June 5, 1995; emergency amendment at 19 Ill. Reg. 8455, effective June 9, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 9297, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 10252, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13019, effective September 5, 1995; amended at 19 Ill. Reg. 14440, effective September 29, 1995; emergency amendment at 19 Ill. Reg. 14833, effective October 6, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15441, effective October 26, 1995; amended at 19 Ill. Reg. 15692, effective November 6, 1995; amended at 19 Ill. Reg. 16677, effective November 28, 1995; amended at 20 Ill. Reg. 1210, effective December 29, 1995; amended at 20 Ill. Reg. 4345, effective March 4, 1996; amended at 20 Ill. Reg. 5858, effective April 5, 1996; amended at 20 Ill. Reg. 6929, effective May 6, 1996; amended at 20 Ill. Reg. 7922, effective May 31, 1996; amended at 20 Ill. Reg. 9081, effective June 28, 1996; emergency amendment at 20 Ill. Reg. 9312, effective July 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. **11332**, effective **AUG 11 1996**.

## SUBPART E: GROUP CARE

**Section 140.539 Reimbursement for Basic Nursing Assistant, Developmental Disabilities Aide, Basic Child Care Aide and Habilitation Aide Nurse's-Aide Training and Nursing Assistant Competency Evaluation Testing**

## a) Nurse's-Aide Training Reimbursement

1) Long term care facilities Nursing-homes shall be reimbursed for the reasonable costs of assistant/aide nurse's-aide training. Upon the individual's aide's successful completion of a course which has been approved by the Department of Public Health (77 Ill. Adm. Code 395.110 995-960), the facility nursing--home may claim reimbursement for the following costs, provided that they are actually incurred:

- A) tuition, up to the prevailing community college rate in the health service area for a six credit hour course;
- B) instructional materials, up to \$25.00; and
- C) salary and fringe benefits (fringe benefits are payroll taxes, unemployment insurance, and worker's compensation).



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and health insurance and meals if provided) up to the prevailing entry level for the health service area.

- 2) Payment will not be made under this Section for salary expenses during the clinical training if the clinical training is in the facility of employment; these staffing and salary costs are included under the regular cost-related reimbursement system as reported on the facilities' annual cost reports and are reimbursed through the monthly payments to the facilities.
- 2) The Department will reimburse for actual approved hours up to 130 hours.

- 3) Facilities Nursing Homes shall also receive an additional factor of five percent 5% of the total claim to recognize costs for those who do not successfully complete the course.

- 4) The Department shall reimburse on a pro rata basis according to the percentage of Medicaid residents Public Aid patients in the facility at the time the request for reimbursement is submitted to the Department Nursing Home.

- 5) No individual nurse's aide who is employed by, or who has received an offer of employment from, a facility on the date on which the individual aide begins a Basic Nursing Assistant, Developmental Disabilities Aide, Basic Child Care/Habilitation Aide nurse's aide training program and competency evaluation program may be charged for any portion of the program (including any fees for textbooks or other required course materials).

b) Basic Nursing Assistant Competency Evaluation Nurse's Aide Testing

- 1) Nursing facilities homes shall be reimbursed for the reasonable costs for basic nursing assistant competency evaluations nurse's aide testing. Only evaluations tests approved by the Department of Public Health are reimbursable (77-III-Adm--Code--995-900). The facility nursing home may claim reimbursement for the cost of each approved competency evaluation test successfully completed with a passing grade (77-III-Adm--Code--995-400g).

- 2) Payment will not be made under this Section for costs incurred in administering tests not approved by the Department of Public Health, or for any additional tests administered by the facility nursing home during or subsequent to basic nursing assistant nurse's aide training.

- 3) Payment will be made for all competency evaluations tests successfully completed with a passing grade after October 1, 1989.

- 4) The maximum reimbursable cost per competency evaluation test successfully completed with a passing grade is the current fee charged by the Department of Public Health approved evaluation testing service. The Department will reimburse on a pro rata basis according to the percentage of Medicaid residents Public Aid patients in the facility at the time the request for reimbursement is submitted to the Department Nursing Home. The Department will not pay any other costs associated with the

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- evaluation testing process.
- 5) Written proof (individual evaluation test results) must be submitted by the facility nursing home for each competency test for which reimbursement is claimed.

- 6) No payment will be made for any competency evaluation test in which a failing grade (77-III-Adm--Code--995-400g) is received for any part of the evaluation test. An individual A-nurse's-aide must pass both the demonstration of manual skills and written components portions of the evaluation test before reimbursement may be claimed.

- 7) Facilities Nursing Homes shall receive an additional factor of five percent 5% of the total claim to recognize costs for those who do not successfully pass the evaluation test.

- 8) No individual nurse's aide who is employed by, or who has received an offer of employment from, a facility on the date on which the individual aide begins a basic nursing assistant nurse's aide training and competency evaluation program may be charged for any portion of the program (including any fees for textbooks or other required course materials).

(Source: Amended at 20 Ill. Reg. 11332, effective AUG 01 1996)



## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Certificates of Title
- 2) Code Citation: 92 Ill. Adm. Code 1010
- 3) Section Numbers: Adopted Action:  
1010.458 New Section
- 4) Statutory Authority: Implementing Chapter 3 and authorized by Section 2-104(b) of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code [625 ILCS 5 Ch. 3 and 2-104(b)].
- 5) Effective Date of Rulemaking: August 1, 1996
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: August 1, 1996
- 9) Notice of Proposal Published in Illinois Register: 20 Ill. Reg. 6372, May 10, 1996
- 10) Has JC&R issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version:
  1. Notice Page and Caption of Rulemaking. "Notice of Proposed Rule(s)" was changed to "Notice of Proposed Amendment(s)".
  2. Lines 125 - 127, Source Note updated to reflect amendments since 1992.
  3. Line 140, "that" was changed to "than".
  4. Line 178, opening parenthetical changed to a bracket.
  5. Line 99, added "3".
  6. Line 135, added period. Also 159:
  7. Lines 136 & 139, moved closing quotes.
  8. Line 175, added "vehicles".
  9. Line 195, added comma after "days".
  10. Line 199, changed "a" to "as".
  11. Line 201, changed "rule" to "Section". Also 191:

## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENTS

- 12) Have all the changes agreed upon by the agency and JC&R been made as indicated in the agreement letter issued by JC&R? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: Implements Public Act 89-424, effective July 1, 1996.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Carol Sudman  
Assistant Counsel  
Secretary of State's Office  
298 Howlett Building  
Springfield, IL 62756  
217/785-3094

The full text of the Adopted Amendment begins on the next page:

## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENTS

TITLE 92: TRANSPORTATION  
CHAPTER II: SECRETARY OF STATEPART 1010  
CERTIFICATES OF TITLE, REGISTRATION OF VEHICLES

## SUBPART A: DEFINITIONS

Section  
1010.10  
1010.20

Owner--Application of Term  
Secretary and Department

## SUBPART B: TITLES

Section  
1010.110

Salvage Certificate--Additional Information Required to Accompany Application for a Certificate of Title for a Rebuilt or a Restored Vehicle Upon Surrendering Salvage Certificate  
1010.120 Salvage Certificate--Assignments and Reassignments  
1010.130 Exclusiveness of Lien on Certificate of Title  
1010.140 Documents Required to Title and Register Imported Vehicles Not Manufactured in Conformity with Federal Emission or Safety Standards  
1010.150 Transferring Certificates of Title Upon the Owner's Death  
1010.160 Repossession of Vehicles by Lienholders and Creditors  
1010.170 Junking Notification

## SUBPART C: REGISTRATION

Section  
1010.210  
1010.220  
1010.230  
1010.240  
1010.250

Application for Registration  
Vehicles Subject to Registration--Exceptions  
Refusing Registration or Certificate of Title  
Registration Plates To Be Furnished By The Secretary of State  
Applications For Reassignment

## SUBPART D: REVOCATION, SUSPENSION AND CANCELLATION OF REGISTRATION

Section  
1010.300  
1010.310  
1010.320  
1010.330  
1010.350  
1010.360

Operation of Vehicle after Cancellation, Suspension, or Revocation of any Registration  
Improper Use of Evidences of Registration  
Suspension, Cancellation or Revocation of Illinois Registration Plates and Cards and Titles  
Operation of Vehicle Without Proper Illinois Registration  
Suspension or Revocation  
Surrender of Plates, Decals or Cards

## SUBPART E: SPECIAL PERMITS AND PLATES

## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENTS

Section  
1010.410 Temporary Registration--Individual Transactions  
1010.420 Temporary Permit Pending Registration In Illinois  
1010.425 Non-Resident Drive-Away Permits  
1010.426 Five Day Permits  
1010.430 Registration Plates for Motor Vehicles Used for Transportation of Persons for Compensation and Tow Trucks

Title and Registration of Vehicles with Permanently Mounted Equipment  
1010.440 Special Plates  
1010.450 Purple Heart License Plates  
1010.451 Special Event License Plates  
1010.452 Retired Armed Forces Licenses Plates  
1010.453 Gold Star License Plates  
1010.454 Collectible License Plates  
1010.455 Sample License Plates For Motion Picture and Television Studios  
1010.456 Korean War Veteran License Plates  
1010.457 Collegiate License Plates  
1010.458 Special Plates for Members of the United States Armed Forces Reserves  
1010.470 Dealer Plate Records  
1010.480 State of Illinois In-Transit Plates

## SUBPART F: FEES

Section  
1010.510  
1010.520  
1010.530  
1010.540

Determination of Registration Fees  
When Fees Returnable  
Circuit Breaker Registration Discount  
Maximum Fees for Distribution of Motor Vehicle Renewal Plates and/or Stickers

## SUBPART G: MISCELLANEOUS

Section  
1010.610  
1010.620

Unlawful Acts, Fines and Penalties  
Change of Engine

## SUBPART H: SECOND DIVISION VEHICLES

Section  
1010.705  
1010.710  
1010.715  
1010.720  
1010.725  
1010.730  
1010.735

Reciprocity  
Vehicle Proration  
Proration Fees  
Vehicle Apportionment  
Trip Leasing  
Intrastate Movements, Foreign Vehicles  
Interline Movements

## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENTS

1010.740 Trip and Short-term Permits  
 1010.745 Signal 30 Permit for Foreign Registration Vehicles (Repealed)  
 1010.750 Signal 30-Year-round for Prorated Fleets of Leased Vehicles (Repealed)  
 1010.755 Mileage Tax Plates  
 1010.756 Suspension or Revocation of Illinois Mileage Weight Tax Plates  
 1010.760 Transfer for "For-Hire" Loads  
 1010.765 Suspension or Revocation of Exemptions as to Foreign Registered Vehicles  
 1010.770 Required Documents for Trucks and Buses to detect "intrastate" movements  
 1010.775 Certificate of Safety

APPENDIX A Uniform Vehicle Registration Proration and Reciprocity Agreement  
 APPENDIX B International Registration Plan

AUTHORITY: Implementing Chapter 3 and authorized by Section 2-104(b) of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code [625 ILCS 5/Ch. 3 and 2-104(b)].

SOURCE: Filed and effective December 15, 1970; emergency amendment at 2 Ill. Reg. 25, p. 119, effective June 14, 1978, for a maximum of 150 days; amended at 3 Ill. Reg. 12, p. 76, effective March 23, 1979; amended at 3 Ill. Reg. 29, p. 123, effective July 20, 1979; amended at 4 Ill. Reg. 17, p. 247, effective April 11, 1980; emergency amendment at 4 Ill. Reg. 21, p. 99, effective May 14, 1980, for a maximum of 150 days; amended at 6 Ill. Reg. 2241, effective February 1, 1982; amended at 6 Ill. Reg. 11076, effective August 26, 1982; codified at 6 Ill. Reg. 12674; amended at 7 Ill. Reg. 1432, effective January 21, 1983; amended at 8 Ill. Reg. 5329, effective April 6, 1984; amended at 9 Ill. Reg. 3358, effective March 1, 1985; amended at 9 Ill. Reg. 9176, effective May 30, 1985; amended at 9 Ill. Reg. 12863, effective August 2, 1985; amended at 9 Ill. Reg. 14711, effective September 13, 1985; amended at 10 Ill. Reg. 1243, effective January 6, 1986; amended at 10 Ill. Reg. 4245, effective February 26, 1986; amended at 10 Ill. Reg. 14308, effective August 19, 1986; recodified at 11 Ill. Reg. 15920; amended at 12 Ill. Reg. 14711, effective September 15, 1988; amended at 12 Ill. Reg. 15193, effective September 15, 1988; amended at 13 Ill. Reg. 1598, effective February 1, 1989; amended at 13 Ill. Reg. 5173, effective April 1, 1989; amended at 13 Ill. Reg. 7965, effective May 15, 1989; amended at 13 Ill. Reg. 15102, effective September 15, 1989; amended at 14 Ill. Reg. 4560, effective March 1, 1990; amended at 14 Ill. Reg. 6848, effective April 18, 1990; amended at 14 Ill. Reg. 9492, effective June 1, 1990; amended at 14 Ill. Reg. 19066, effective November 15, 1990; amended at 15 Ill. Reg. 12782, effective August 15, 1991; amended at 16 Ill. Reg. 12587, effective August 1, 1992; amended at 19 Ill. Reg. 11947, effective August 1, 1995; amended at 19 Ill. Reg. 16289, effective November 27, 1995; amended at 20 Ill. Reg.

11349, effective

AUG 01 1996

## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENTS

## SUBPART E: SPECIAL PERMITS AND PLATES

## Section 1010.458 Collegiate License Plates

a) For purposes of this Section, the following definitions shall apply:

"College" or "University" - any accredited not-for-profit institution of higher learning, public or private, located in the State of Illinois, as specified in Section 10 of the Illinois Higher Education Student Assistance Act [110 ILCS 947/10].

"First Division vehicles" - motor vehicles which are designed for carrying of not more than ten (10) persons as defined in Section 1-146 of the Illinois Vehicle Code [625 ILCS 5/1-146].

"Second Division vehicles" - motor vehicles which are designed for carrying more than ten (10) persons, those motor vehicles designed or used for living quarters, those motor vehicles which are designed for pulling or carrying freight, cargo, or implements of husbandry, and those motor vehicles of the First Division remodelled for use and used as motor vehicles of the Second Division as defined in Section 1-146 of the Illinois Vehicle Code [625 ILCS 5/1-146].

"State College and University Trust Fund" - a special fund created in the State Treasury. Monies collected are to be distributed to each public university or college in proportion to the number of plates sold in regard to that university or college. These monies are to be distributed to the college or university for the sole purpose of scholarship grant awards.

"University Grant Fund" - a special fund created in the State Treasury. Monies collected are to be appropriated to the Illinois Student Assistance Commission for grant awards.

b) Any college of university wishing to participate in the Collegiate license plate program shall submit a written request to the Secretary of State. The request must originate from the Chief Executive of that institution.

c) The college or university must guarantee a minimum order quantity of 1700 sets of license plates.

d) Plate design shall consist of a background color (white) with a limit of two (2) additional colors for depicting the school logo. All plate designs must be approved by the Secretary of State.

1) Any school's logo having a copyright attached must submit written permission from the copyright holder prior to final approval of the plate design.

2) Upon final approval of the plate design, the Secretary of State shall have a minimum of 180 days to prepare and begin issuance of that college or university license plate.



## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENTS

- e) Any resident of the State of Illinois may purchase Collegiate license plates in accordance with Section 3-629 of the Illinois Vehicle Code [625 ILCS 5/3-629]. These special registration plates shall only be issued for first division vehicles and second division vehicles weighing eight thousand (8,000) pounds or less.
- f) An applicant wishing to obtain Collegiate plates shall complete an application as prescribed by the Secretary. In accordance with Section 3-629 of the Illinois Vehicle Code [625 ILCS 5/3-629], applicants shall also submit an original issuance fee of \$40 plus the statutory annual registration fee as specified in Section 3-806 of the Illinois Vehicle Code [625 ILCS 5/3-806]. An additional \$27 fee is applicable at each renewal.
- g) Of the \$40 fee, \$25 is deposited into the State College and University Trust Fund or the University Grant Fund whichever is appropriate, \$15 is deposited into the Secretary of State Special License Plate Fund as outlined in Section 2-119(1) of the Illinois Vehicle Code [625 ILCS 5/2-119(1)].
- h) In order to obtain Collegiate license plates:
- 1) if the present Illinois plates expire within sixty (60) days, upon receipt of the preprinted renewal application, the applicant shall submit the renewal application, the original issuance fee of \$40 as cited in subsection (f) of this Section, and the registration fee as specified in Section 3-806 of the Illinois Vehicle Code [625 ILCS 5/3-806].
  - 2) if the present plates do not expire within sixty (60) days, the applicant shall submit the appropriate completed application with a copy of his/her current registration identification card. The applicant shall also pay a reclassification fee as provided in Section 5/3-802 of the Illinois Vehicle Code [625 ILCS 5/3-802] plus the additional \$40 fee as provided in subsection (f) of this Section.
- i) Applications are available from, and should be submitted to:
- Office of the Secretary of State  
Non-Standard Plates Section  
Michael J. Howlett Building  
Springfield, IL 62756

(Source: Added at 20 Ill. Reg. **11349**, effective  
AUG 01 1996)

## SECRETARY OF STATE

## NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Dealers, Wreckers, Transporters and Rebuilders
- 2) Code Citation: 92 Ill. Adm. Code 1020
- 3) Section Number(s): Adopted Action:  
1020.30 New Section
- 4) Statutory Authority: Implementing Chapter 5 and authorized by Section 2-104(b) of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code [625 ILCS 5, Ch. 5 and 2-104(b)].
- 5) Effective Date of Amendment: August 1, 1996
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date filed in Agency's Principal Office: August 1, 1996
- 9) Notice of Proposal Published in Illinois Register: 20 Ill. Reg. 5488, 4/12/96
- 10) Has JCAR issued a Statement of Objections to these amendments? No
- 11) Difference between proposal and final version:
  1. Line 40 - 41, Source Note Notation added.
  2. Notice Page, Question #4, corrected Statutory Citation.
  3. Notice Page, Question #12, changed "feel" to "believe".
  4. Notice Page, Question #13, reflected current rule style.
  5. Line 28-29, capped for consistency with T.O.C.
  6. Line 29, omitted period.
  7. Lines 26 - 27, added current source cite.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these amendments replace an emergency rule amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No

## SECRETARY OF STATE

## NOTICE OF ADOPTED RULES

15) Summary and Purpose of Rules: Provide for a process to allow removal of dash assemblies with Vehicle Identification Plate attached without a violation of 625 ILCS 5/4-103(a)(2), (a)(3), or (a)(5).

16) Information and questions regarding these adopted amendments shall be directed to:

Robert B. Powers  
Assistant Counsel  
Secretary of State's Office  
298 Howlett Building  
Springfield, IL 62756  
217/785-3094

The full text of the Adopted Amendment begins on the next page:

## SECRETARY OF STATE

## NOTICE OF ADOPTED RULES

TITLE 92: TRANSPORTATION  
CHAPTER II: SECRETARY OF STATE

PART 1020  
DEALERS, WRECKERS, TRANSPORTERS AND REBUILDERS

Section	
1020.10	Dealers Established Place of Business
1020.20	Required Records for Automotive Parts Recyclers Rebuilders, New Vehicle Dealers, Used Vehicle Dealers, Repairers and Out-of-State Salvage Vehicle Buyers
1020.30	Records Required Upon Removal of Dash Assemblies with Vehicle Identification Number Plate Attached
1020.40	Inspection of Licensees' Records and Premises
1020.50	Consignment Sales by Dealers
1020.70	Rebuilders Not to Engage in Retail Selling of Salvage or Rebuilt Vehicles

**AUTHORITY:** Implementing Chapter 5 and authorized by Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code [625 ILCS 5/Ch. 5 and 2-104(b)].

**SOURCE:** Filed March 5, 1975; amended at 2 Ill. Reg. 33, p. 144, effective August 8, 1978; amended at 5 Ill. Reg. 3835, effective March 27, 1981; codified at 6 Ill. Reg. 12674; amended at 7 Ill. Reg. 5260, effective April 4, 1983; amended at 8 Ill. Reg. 14657, effective August 1, 1984; amended at 8 Ill. Reg. 22884, effective November 16, 1984; amended at 12 Ill. Reg. 13612, effective August 15, 1988; amended at 12 Ill. Reg. 17962, effective November 1, 1988; amended at 14 Ill. Reg. 8704, effective June 1, 1990; amended at 19 Ill. Reg. 11640, effective August 1, 1995; amended at 20 Ill. Reg. 11350, effective AUG 01 1996.

**Section 1020.30 Records Required Upon Removal of Dash Assemblies with Vehicle Identification Number Plate Attached**

To avoid committing a violation of 625 ILCS 5/4-103(a)(2), (a)(4) or (a)(5), the licensee shall:

- Obtain a Junking Certificate in their name prior to beginning the dismantling process.
- mark each essential part with the full vehicle identification number.
- upon selling the dash assembly and other essential parts from the vehicle, provide the purchaser with a copy of the Junking Certificate and a bill of sale which is notated with the specific information required by 625 ILCS 5/5-402.1(b).

(Source: Added 1986 20 Ill. Reg. 11356 effective

## STATE BANKING BOARD OF ILLINOIS

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Hearings for Removal of Directors, Officers, Employees or Agents of a State Bank or Corporate Fiduciary
- 2) Code Citation: 38 Ill. Adm. Code 900
- 3) Section Number:

900.10	Adopted Action:
900.20	Amendment
900.30	Amendment
900.70	Amendment
900.80	Amendment
900.90	Amendment
900.120	Amendment
900.130	Amendment
900.160	Amendment
900.200	Amendment
900.210	Amendment

- 4) Statutory Authority: Section 80 of the Illinois Banking Act [205 ILCS 5/80] and Section 5-1 of the Corporate Fiduciary Act (205 ILCS 620/5-1).

- 5) Effective Date of Adopted Amendment: August 1, 1996

- 6) Does this amendment contain an automatic repeal date? No

- 7) Does this amendment contain incorporations by reference? No

- 8) Date Filed in Agency's Principal Office: March 1, 1996

- 9) Date Notice of Proposed Amendments was published in Illinois Register: April 5, 1996, 20 Ill. Reg. 5326

- 10) Has JCAR issued a Statement of Objections to this rule? No

- 11) Differences between proposal and final version: The only changes made were technical/formatting changes recommended by JCAR and technical revisions reflecting the recent agency merger creating the Office of Banks and Real Estate.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? All the changes agreed upon by the Agency and JCAR have been made.

- 13) Will this amendment replace emergency amendments currently in effect? No

- 14) Are there any other proposed amendments pending on this Part? No

- 15) Summary and Purpose of Rules: Pursuant to Section 5-6 of the Corporate

## STATE BANKING BOARD OF ILLINOIS

## NOTICE OF ADOPTED AMENDMENTS

Fiduciary Act [205 ILCS 620/5-6], the Commissioner of Banks and Real Estate has the authority to remove directors, officers, employees, or agents of corporate fiduciaries. Section 5-6 also provides that any affected person is entitled to a hearing held in accordance with procedures adopted pursuant to Section 48 of the Illinois Banking Act [205 ILCS 5/48]. This Part contains those procedures. This rulemaking clarifies that the procedures in Part 900 apply to hearings involving corporate fiduciaries as well as state banks.

- 16) Information and questions regarding these Adopted Amendments shall be directed to:

John Arthur  
Legislative Liaison  
Office of Banks and Real Estate  
500 East Monroe, Suite 900  
Springfield, Illinois 62701  
217/782-3000

The full text of the Adopted Amendments begins on the next page:



## STATE BANKING BOARD OF ILLINOIS

## NOTICE OF ADOPTED AMENDMENTS

TITLE 38: FINANCIAL INSTITUTIONS  
CHAPTER VII: STATE BANKING BOARD OF ILLINOIS

## PART 900

HEARINGS FOR REMOVAL OF DIRECTORS, OFFICERS,  
EMPLOYEES OR AGENTS OF A STATE BANK OR CORPORATE FIDUCIARY

## Section

900.10 Applicability  
 900.20 Definitions  
 900.30 Request for a Hearing  
 900.40 Hearing Officer  
 900.50 Notice of Hearing  
 900.60 Motions  
 900.70 Answer to the Order of Removal  
 900.80 Form of Pleadings  
 900.90 Service  
 900.100 Appearances  
 900.110 Consolidation of Hearing Proceedings  
 900.120 Intervention  
 900.130 Authority of Hearing Officer  
 900.140 Prehearing Conferences  
 900.150 Practice by Telephone  
 900.160 Subpoenas  
 900.170 Discovery  
 900.180 Evidence Depositions  
 900.190 Conduct of a Hearing  
 900.200 Evidence  
 900.210 Record of Hearing Proceedings  
 900.220 Briefs  
 900.230 Hearing Officer's Findings of Fact and Conclusions of Law  
 900.240 Board's Determination  
 900.250 Construction of Rules

AUTHORITY: Implementing Section 48(7) of the Illinois Banking Act [205 ILCS 5/48(7)] and Section 5-6 of the Corporate Fiduciary Act [205 ILCS 620/5-6] and authorized by Section 80(j) of the Illinois Banking Act [205 ILCS 5/80(j)].

SOURCE: Emergency Rule adopted at 10 Ill. Reg. 15672, effective September 11, 1986, for a maximum of 150 days; chapter number and Part number corrected at 10 Ill. Reg. 20328; adopted at 11 Ill. Reg. 8905 effective April 24, 1987; amended at 12 Ill. Reg. 17074, effective 11359, at AUG 01 1996, effective September 11, 1988; amended at 20 Ill. Reg.

## Section 900.10 Applicability

This Part shall apply to hearings conducted under the jurisdiction of the State Banking Board of Illinois pursuant to Section 48(8) of the Illinois Banking Act

## STATE BANKING BOARD OF ILLINOIS

## NOTICE OF ADOPTED AMENDMENTS

[205 ILCS 5/48(8)] and Section 5-6 of the Corporate Fiduciary Act [205 ILCS 620/5-6]. ~~{III--Rev--Stat--1985--ch--177--par--359+0+}~~.

(Source: Amended at 20 Ill. Reg. 11359, effective AUG 01 1996)

## Section 900.20 Definitions

For purposes of this Part:

"Act" means the Illinois Banking Act [205 ILCS 5] ~~{III--Rev--Stat--1985--ch--177--par--381-et-seq+}~~.

"Board" means the State Banking Board of Illinois.

"Commissioner" means the Office of the Commissioner of Banks and Real Estate ~~Trust-Companies~~.

"Corporate Fiduciary" shall have the meaning ascribed to it in the Corporate Fiduciary Act [205 ILCS 620].

"Hearing Officer" means an attorney licensed in the State of Illinois who is the presiding official appointed by the Board to conduct a hearing.

"Party" includes the Commissioner, any person named in an Order of Removal and after the date of a Ruling permitting the State bank or corporate fiduciary to intervene, the State bank or corporate fiduciary affected by the Order of Removal.

"Person" means any director, officer, employee or agent of a State bank or corporate fiduciary.

"Respondent" means the person(s) named in the Order of Removal.

(Source: Amended at 20 Ill. Reg. 11359, effective AUG 01 1996)

## Section 900.30 Request for a Hearing

A request for a hearing before the Board pursuant to Section 48(7) ~~+0+~~ of the Act shall be in writing and shall be received by the Board within ten-~~t~~ 10 days after receipt of the Order of Removal.

(Source: Amended at 20 Ill. Reg. 11359, effective AUG 01 1996)

## Section 900.70 Answer to the Order of Removal

## STATE BANKING BOARD OF ILLINOIS

## NOTICE OF ADOPTED AMENDMENTS

- a) An answer to the Order of Removal under Section 48(7) (b) of the Act is not required unless the respondent seeks to contest such Order.
- b) If filed, an answer to the Order of Removal under Section 48(7) (b) of the Act shall be filed with the Board or its duly appointed hearing officer and the Commissioner within twenty (20) days after the day on which the Order of Removal is served upon the respondent.
- c) An answer shall contain an explicit admission, denial or appropriate response to each allegation contained within the Order of Removal.
- d) Allegations in the Order of Removal to which there is no response shall be deemed admitted.

(Source: Amended AUG 01 1996 at 20 Ill. Reg. 11359, effective AUG 01 1996)

## Section 900.80 Form of Pleadings

- a) All pleadings shall clearly show the title and docket number of the proceeding in connection with which the pleadings are filed.
- b) All pleadings shall be typewritten on 8 1/2 x 11 inch paper.
- c) Three (3) copies of all pleadings shall be filed with the Board or its duly appointed hearing officer.
- d) One (1) of the three (3) copies of each pleading filed shall be signed by the party or by the attorney representing the party and shall contain the address and telephone number of the individual signing the pleadings.
- e) All pleadings required to be filed with the Board or its duly appointed hearing officer shall be sent by certified mail, return receipt requested, to the Board at 500 East Monroe Street 119--South Fifth--Street,--Room--100--Retsch--Building, Springfield, Illinois 62701-1532.

(Source: Amended at 20 Ill. Reg. 11359, effective AUG 01 1996)

## Section 900.90 Service

- a) Service of all pleadings shall be made upon every party of record by hand delivery or by certified mail, return receipt requested.
- b) Service upon the agent of a party shall be deemed service upon the party.
- c) Service of pleadings consistent with the Illinois Civil Practice Law [735 ILCS 5] (111--Rev--Stat--1985--ch--110--par--2--101--et--seq--7) requirements for personal service shall be deemed compliance with this Section.

(Source: Amended at 20 Ill. Reg. 11359, effective AUG 01 1996)

## STATE BANKING BOARD OF ILLINOIS

## NOTICE OF ADOPTED AMENDMENTS

## Section 900.120 Intervention

- a) Upon application by the State bank or corporate fiduciary affected by an Order of Removal, the Board or its duly appointed hearing officer shall, by written Ruling, permit such bank or corporate fiduciary to intervene in a hearing proceeding, if:
- 1) the Board or its duly appointed hearing officer finds that the representation of the State bank's or corporate fiduciary's interest is or may be inadequate; and
  - 2) the intervention would not delay the proceeding or prejudice the parties.
- b) All Petitions for Intervention shall be in writing and shall be served upon every party and the Board or its duly appointed hearing officer not later than ten (10) days prior to the date of the hearing.

(Source: Amended AUG 01 1996 at 20 Ill. Reg. 11359, effective AUG 01 1996)

## Section 900.130 Authority of Hearing Officer

- A hearing officer shall have all powers necessary to conduct a hearing including the power to:
- a) Administer oaths and affirmations;
  - b) Direct and regulate the course of a hearing, set the time and place for the hearing and provide for the taking of testimony by deposition if necessary;
  - c) Examine witnesses and direct witnesses to testify, limit the number of times a witness may testify and limit repetitions or cumulative testimony;
  - d) Rule upon offers of proof and admit relevant evidence in accordance with Section 10-40 the Illinois Administrative Procedure Act [5 ILCS 100/10-40]; (111--Rev--Stat--1991--ch--117--par--110--40--7)
  - e) Issue properly executed subpoenas that require testimony and the production of books, papers, accounts and documents; and
  - f) Render proposed findings of fact and conclusions of law for review by the Board.

(Source: Amended AUG 01 1996 at 20 Ill. Reg. 11359, effective AUG 01 1996)

## Section 900.160 Subpoenas

- a) Upon application to the Board or its duly appointed hearing officer by any party, the Board or its duly appointed hearing officer shall issue a subpoena for attendance of a witness having knowledge of relevant facts at a deposition or hearing and require the production of any relevant books, papers, accounts and documents in the course of and pursuant to any deposition or hearing under Section 48(7) (b) of the

## STATE BANKING BOARD OF ILLINOIS

## NOTICE OF ADOPTED AMENDMENTS

Act.

b) Every subpoena shall state the title and docket number of the hearing and shall command each person to whom it is directed to:

- 1) give testimony;
- 2) produce books, papers, accounts and documents at the time and place therein specified; or
- 3) do both (1) and (2) above.

(Source: Amended at 20 Ill. Reg. 11359 effective AUG 01 1996)

## Section 900.200 Evidence

The Board or its duly appointed hearing officer shall receive evidence which is admissible under Section 10-40 of the Illinois Administrative Procedure Act [5 ILCS 100/10-40] (11359-Rev-Stat-1993-CH-127-Par-1010-40).

(Source: Amended at 20 Ill. Reg. 11359 effective AUG 01 1996)

## Section 900.210 Record of Hearing Proceedings

a) The Board or its duly appointed hearing officer shall appoint a licensed court reporter to make a stenographic transcript of all hearings.

b) The record in a hearing shall include:

- 1) The items listed in Section 10-35 of the Illinois Administrative Procedure Act [5 ILCS 100/10-35]. (11359-Rev-Stat-1993-CH-127-Par-1010-35);

2) The transcript of a hearing.

c) The cost of any copy of the transcript requested by any party to the proceeding shall be borne by such party.

d) The record shall be made available for examination by a party to the proceeding at the Commissioner's Springfield or Chicago office during regular officer hours.

(Source: Amended at 20 Ill. Reg. 11359 effective AUG 01 1996)

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF EMERGENCY AMENDMENTS

1) Heading of the Part: Licensing Standards for Day Care Centers

2) Code Citation: 89 Ill. Adm. Code 407

3) Section Numbers: Emergency Action:  
407.31 Amend

4) Statutory Authority: 225 ILCS 10

5) Effective Date of Amendments: August 1, 1996

6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: Not applicable

7) Date Filed in Agency's Principal Office: August 1, 1996

8) Reason for Emergency: There is a shortage of day care in the State of Illinois. This shortage is especially notable when attempting to locate safe and adequate day care for infants and toddlers. In reviewing its rules for licensing day care centers, the Department has determined that its rules in Part 407 are more restrictive regarding the location of a day care center which serves infants and toddlers than the fire codes of both the Office of the State Fire Marshal and the Chicago Fire Department Division of Fire Prevention.

The Department's regulations have unnecessarily limited access to day care for infants and toddlers and have forced parents to seek less adequate day care options or to quit working altogether. By adopting these emergency amendments, the Department will bring its licensing regulations into agreement with the rules adopted by the Office of the State Fire Marshal and the Chicago Fire Department Fire Prevention Division. This will encourage the development of day care centers which provide safe and adequate care to infants and toddlers.

9) A Complete Description of the Subjects and Issues Involved: Section 407.31 of the Department's Licensing Standards for Day Care Centers requires that all centers providing care to infants or toddlers be located on the first floor of the building. This requirement is intended to be a fire safety regulation and was modeled after the fire safety codes which were in effect on June 15, 1984, when Section 407.31 was last amended.

In the interim, the Office of the State Fire Marshal has adopted the Life Safety Code as its standard for fire safety. The Life Safety Code allows trained fire inspectors to weigh additional criteria (such as the design and construction of the building, the location of exits, fire suppression devices) to determine whether a structure is fire safe. Thus, the State Fire Marshal or the Chicago Fire Department Fire Prevention Division may find a day care center fire safe but, because of the requirement in



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Section 407.31, the Department of Children and Family Services would refuse to grant the day care center a license.

This requirement in Section 407.31 has unduly restricted the creation of day care centers which serve infants and toddlers which has resulted in a shortage of infant/toddler day care. The Department finds that removing this restriction will encourage the development of safe and adequate day care centers for the care of infants and toddlers.

- 10) Are there any propose amendments to this Part pending? No
- 11) Statement of Statewide Policy Objectives: These amendments do not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].
- 12) Information and questions regarding these amendments shall be directed to:

Jacqueline Nottingham, Chief  
Office of Rules and Procedures  
Department of Children and Family Services  
406 E. Monroe Street, Station # 65  
Springfield, IL 62701-1498  
Telephone: (217) 524-1983  
TTY: (217) 524-3715

The full text of the emergency amendments begins on the next page:

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF EMERGENCY AMENDMENTS

TITLE 89: SOCIAL SERVICES  
CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
SUBCHAPTER e: REQUIREMENTS FOR LICENSURE

PART 407  
LICENSING STANDARDS FOR DAY CARE CENTERS

Section	Purpose
407.1	Definitions
407.2	Effective Date of Standards
407.3	Application for License
407.4	Application for Renewal of License
407.5	Provisions Pertaining to the License
407.6	Provisions Pertaining to Permits
407.7	Organization and Administration
407.8	Finances
407.9	General Requirements for Personnel
407.10	Child Care Director
407.11	Child Care Workers and Group Workers
407.12	Child Care Assistants
407.13	Use of Students
407.14	Service Staff
407.15	Substitutes and Volunteers
407.16	Background Inquiry
407.17	Admission and Discharge Procedures
407.18	Discipline
407.19	Personal Care and Hygiene
407.20	Program
407.21	Equipment and Materials
407.22	Grouping and Staffing
407.23	Nutrition
407.24	Night Care
407.25	Children with Special Needs
407.26	Infants and Toddlers
407.27	School-Age Children
407.28	Health Requirements for Children
407.29	Transportation
407.30	Plant and Equipment
407.31	Records and Reports
407.32	Confidentiality of Records and Information
407.33	Records Retention
407.34	Severability of This Part
407.35	Meal Pattern Chart for Children 0 to 12 Months of Age
APPENDIX A	Meal Pattern Chart for Children Over One Year of Age
APPENDIX B	Minimum Equipment and Supplies -- Pre-School Programs
APPENDIX C	Minimum Equipment and Supplies -- Infant and Toddler Programs
APPENDIX D	

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

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## APPENDIX E Licensed or Registered Professions

**AUTHORITY:** Implementing and authorized by the Child Care Act of 1969 [225 ILCS 10].

**SOURCE:** Adopted and codified at 7 Ill. Reg. 9215, effective August 15, 1983; amended at 8 Ill. Reg. 9713, effective June 15, 1984; amended at 8 Ill. Reg. 24937, effective January 1, 1985; amended at 16 Ill. Reg. 7597, effective April 30, 1992; emergency amendment at 20 Ill. Reg. **11366**, effective August 1, 1996.

**Section 407.31 Plant and Equipment**  
**EMERGENCY**

a) The physical facilities provided both indoors and outdoors shall protect the health and safety of children.

1) The building housing a center shall be approved prior to occupancy and license renewal by the Illinois Department of Public Health and the Office of the State Fire Marshal or local agencies authorized by those State agencies to conduct inspections on their behalf. Otherwise, inspection and approval shall be in accordance with the regulations of the proper health and fire authorities.

2) The building or portion of the building to which children from the center have access shall be used only for a program of child care during the hours that the center is in operation. This shall not be construed to mean that the space used for the program cannot be shared by other groups or persons when the children enrolled are not present.

3) There shall be a posted emergency plan for evacuation, and monthly fire drills shall be conducted at the center for the purpose of removing children from the center as quickly as possible. Records shall be maintained of the dates and times fire drills are conducted.

4) In facilities established after June 15, 1984, ~~the effective date of this rule~~, infants and toddlers shall be housed and cared for at ground level unless otherwise approved through the exception process below. Travel distance between any point in a room used for infants and toddlers and an exit discharging directly outside shall not exceed 150 feet. Only a fire inspector from the Office of the State Fire Marshal or the Chicago Fire Department's Fire Prevention Bureau may grant an exception to the requirements that infants and toddlers be housed and cared for at ground level. This exception must be renewed upon each license renewal and must contain at least the following information:

A) The precise location of the day care center (including street address, floor, and area approved for care of infants and toddlers);

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B) the maximum number of infants and toddlers approved for care under the exception;

C) specific provisions pertaining to the exception, if any, such as number of staff, sprinklers, ramps, special equipment; and

D) when the facility is due for reinspection by the Office of the State Fire Marshal or the Chicago Fire Department's Fire Prevention Inspector.

5) The program shall be modified, as needed, when there are adverse environmental conditions caused by weather, heating or cooling difficulties, or other such problems.

b) There shall be sufficient indoor space to conduct the program.

1) There shall be a minimum of 35 square feet of activity area per child in centers for normal children two years of age and older. This space is exclusive of exit passages and fire escapes, which must be clear. This space is also exclusive of administrative space, storage areas, bathrooms, kitchen, space required for equipment that is not used for direct activities with children, and gymnasiums or other areas used exclusively for large muscle activity or active sports.

2) During nap time, there shall be at least two feet of space on at least two sides between cots.

3) Storage space shall be provided for cots, bedding, and other equipment.

4) One room, no matter how large, shall accommodate only one group, except that room dividers or program equipment at least 3'6" in height may be used to define and separate the space for each group of children up to age five. Gymnasiums and similar sized areas may accommodate two groups, without dividers, when used for large muscle activity and active sports.

5) All rooms or spaces accommodating more than one group shall be provided with an acoustical ceiling or its equivalent in carpeting or wall covering. If carpeting is used to control noise, it shall not be required in water play, painting, and similar areas.

c) Indoor space shall provide a safe, comfortable environment for the children.

1) Adjustable window shades, drapes, or venetian blinds shall be provided.

2) The floors and floor coverings shall be washable and free from drafts, splinters, and dampness.

3) Toxic paints or finishes shall not be used on walls, window sills, beds, toys or any other equipment, materials or furnishings which may be used by children or within their reach. Peeling or damaged paint or plaster shall be repaired promptly to protect children from possible hazards.

4) Any thermal hazards (radiators, hot water pipes, steam pipes, heaters) in the space occupied by children shall be out of the

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reach of children or be separated from the space by partitions, screens, or other means.

- 5) Sharp scissors, knives, matches, lighters, flammable liquids, drugs, power tools, cleaning supplies and any other such items which might be harmful to children shall be kept in areas inaccessible to children.

- 6) The facility shall be well ventilated, and shall maintain a temperature of not less than 68 degrees Fahrenheit and not more than 74 degree Fahrenheit measured 3 feet above the floor. Relative humidity shall be maintained at between 35 and 60 percent.

- 7) Areas where children read, paint, or participate in other activities requiring close eye work shall be provided with a minimum of 50 foot candles measured 2 feet above the floor. Artificial light sources shall be protected from hazards of breakage by installation of covers or shields. Other areas may be provided with foot candles of varying intensity, depending on the usage; the average foot candles for the entire classroom area shall be at least 30 foot candles measured 2 feet above the floor.

- d) A safe outdoor play area shall be provided.

- 1) The outdoor play area shall accommodate 25 percent of the licensed capacity at any one time.

- 2) There shall be a minimum of 75 square feet of safe outdoor play area per child for the total number of children using the area at any one time.

- 3) Play space shall be safely enclosed or otherwise protected from traffic and other hazards.

- 4) Protective surface, such as, but not limited to, grass, P-gravel, and mulching shall be provided in areas where climbing apparatus is used.

- 5) There shall be provided a surface that is suitable for children's wheeled vehicles and pull toys.

- 6) Play areas shall be well drained and maintained in a safe, clean, and sanitary manner.

- 7) There shall be open and sheltered areas to permit children to enjoy activities in either sun or shade and to protect them from excessive exposure.

- 8) If an area not connected with the facility, such as a public park or playground, is used for play or recreation, the children shall be closely supervised both during play and while traveling to and from the area.

- e) Toilets and lavatories shall be readily accessible to the children.

- 1) If toilets and lavatories are not child-sized, safe steps shall be provided.

- 2) Hot and cold running water shall be provided.

- 3) Mild soap and individual towels shall be available and used. Towels may be disposable.

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- 4) Hot water supplied to lavatories, bathing facilities, and other plumbing fixtures used by children shall be tempered or thermostatically controlled to less than 120° F.

- 5) The following ratios of lavatories and toilet facilities shall be provided.

Number of Children in day care facility	Toilets-Lavatories
1 to 10	1
11 to 25	2
26 to 50	3
51 to 75	4
76 to 100	5
101 to 125	6
126 to 150	7
151 to 175	8

- 6) Toilet and handwashing areas for school-age children shall provide for privacy.

- 7) Toilets shall be within close proximity to the children's activity areas. If this is not possible in existing facilities, an adult shall accompany children four years of age and younger.

- f) Toilet and lavatories shall be readily accessible to the staff.

- g) Kitchen sinks used for food preparation shall neither be used as handwashing lavatories, nor included in the total number of handwashing lavatories required.

- h) Space shall be provided for a child who becomes ill at the center. Such space shall be ventilated and heated; equipped with a cot and materials that can be easily sanitized; and shall be within sight and hearing of an adult.

- i) A safe and sanitary water supply shall be maintained. If a private water supply is used instead of a public water supply, the center shall supply written records of current test results indicating the water supply is safe for drinking. New test results must be provided prior to relicensing. If nitrate content exceeds 10 parts per million, bottled water must be used for infants.

- j) Swimming and wading pools shall be safely maintained and supervised.

- 1) All swimming pools, whether at the facility or elsewhere, shall meet the Minimum Sanitary Requirements for the Design and Operation of Swimming Pools and Bathing Beaches of the Illinois Department of Public Health (to be codified at 77 Ill. Adm. Code 820).

- 2) All in-ground or above-ground swimming pools located in areas accessible to children shall be fenced. The fence shall be at least 3 1/2" in height and secured with a locked gate.

- 3) When children are swimming, supervision shall at all times include at least one person currently certified as a lifeguard or water safety instructor by the American Red Cross



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(Lifesaving: Rescue and Water Safety, Prepared by American Red Cross, 1981) or equivalent water safety program.

- 4) All staff, volunteers, and other adults who are counted in the staff/child ratio for swimming shall receive basic water safety instruction from the person certified in life saving per Section 407.31(j)(3).

- 5) The following staff/child ratio shall be maintained when children are swimming, whether at the facility swimming pool or at other public or private swimming pools, lakes, parks, or recreational swimming facilities:

age	staff	children
infants/toddlers	1	1
2 years	1	4
3 years	1	6
4 years	1	8
5 years	1	10
school-age	1	15

- 6) Portable wading pools shall be emptied after each use and cleaned with a germicidal solution before being air dried. Portable wading pools, splash pools, and other basins used for water play (activities) which are not required to be licensed by the Illinois Department of Public Health shall be emptied after use and cleaned with a germicidal solution before being air-dried.

- k) Kitchen areas shall be clean and equipped for preservation, storage, preparation, and serving of food. Provision shall be made for the cleaning and sanitation of dishes.

- l) All garbage and refuse within the center shall be collected daily and stored in a manner that will not permit the transmission of disease, create a nuisance or a fire hazard, or provide harborage for insects, rodents or other pests.

- 1) An adequate number of covered, durable, water-tight, insect/rodent-proof garbage and refuse containers shall be provided for use.

- 2) Garbage and refuse containers used to discard dispersing supplies, food products, or disposable meal service supplies shall be cleaned daily with a germicidal solution unless plastic liners are used and disposed of daily.

- m) Insect and rodent control shall be maintained.

- 1) All outside doors, operable windows, and other openings shall be screened. Doors with operable self-closing devices do not have to be screened.

- 2) Chemicals for insect and rodent control shall not be applied in areas accessible to children when children are present in the facility.

- n) The facility shall be cleaned daily and kept in a sanitary condition

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at all times.

- 1) The facility shall provide necessary cleaning and maintenance equipment.

- 2) Toys, table tops, furniture, and other similar equipment used by children shall be washed when they become soiled or contaminated with matter such as food, body secretions, or excrement.

- 3) Cleaning equipment, cleaning agents, aerosol cans, and other hazardous chemical substances shall be stored in a space designated solely for this purpose and shall be inaccessible to children.

- 4) Exit areas shall be kept clear of equipment and debris at all times.

- 5) There shall be no smoking in food preparation areas or in child care areas when children are present.

- 6) Major cleaning shall not be done while children are present.

- 7) Water tables and toys used in water tables shall be emptied daily and cleaned with a mild germicidal solution before being air-dried.

- o) Facilities shall provide a separate crib, bed, or cot and individual sheets and other bedding.

- 1) Cots, cribs, or beds used by children in a day care facility may be used for other children at night if separate sets of clean sheets and other bedding are provided to each user.

- 2) Clean sheets and blankets shall be provided at least once a week or as frequently as needed when wet or soiled.

- 3) Waterproof mattress covers or undersheets for cribs, beds, or canvas cots shall be provided for all children who are bedwetters.

- 4) Each cot, bed, or crib shall be identified with the name of the child.

- 5) Bed linens shall be tightly fitting and washable.

- p) Facilities and equipment shall be kept in safe repair so as not to expose children to hazardous situations.

- 1) Any interior or exterior painted surface including walls, floors, ceilings, equipment, toys, furnishings, and cribs shall be maintained in good order free of lead paint.

- 2) Electrical outlets within the reach of children up to age 5 shall be covered or be otherwise shockproof.

- q) Furnishings and equipment shall be durable, safe and scaled to the size of the children.

- 1) Child-size chairs shall be provided for preschool children.

- 2) Tables shall be of appropriate height and of a size to accommodate comfortably a small group of not more than 8-10 children.

- 3) Individual lockers, cubicles, or separate hooks and shelves shall be provided for the children's personal belongings.

- 4) Low, open shelves for play materials and books shall be provided and within easy reach of the children.

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- 5) Storage for surplus toys and supplies not currently in use shall be provided.
- 6) A cot must be provided for each preschool-age child in an all-day program. Floor pillows, sofa, carpet, bean bag chairs, or padded chairs shall be provided for school-age children for lounging or resting.
- 7) A first aid kit and a chart or handbook of first aid instructions shall be available for staff use. The first aid kit shall consist of Band-Aids, sterile bandages, sterile compresses, adhesive tape, scissors, mild soap, magnifying glass with needles and tweezers for removing splinters.
- r) There shall be means for communication for emergency purposes.
  - 1) An operable telephone shall be on the premises, easily accessible for use in an emergency and other communications.
  - 2) A list of emergency telephone numbers, such as the fire department, police department, and emergency medical treatment, shall be posted next to the telephone.
  - 3) Facilities operating on two or more floors shall have intercom service or other means of formal communications between floors.

(Source: Emergency amendment at 20 Ill. Reg. 11366, effective August 1, 1996)

## DEPARTMENT OF FINANCIAL INSTITUTIONS

## NOTICE OF PUBLIC INFORMATION

NOTICE OF NAMES OF PERSONS APPEARING  
TO BE OWNERS OF UNCLAIMED PROPERTY WHOSE  
LAST KNOWN ADDRESSES ARE IN CERTAIN STATES

## TITLE 38: FINANCIAL INSTITUTIONS

## CHAPTER I: DEPARTMENT OF FINANCIAL INSTITUTIONS

Pursuant to statutory requirement, the Illinois Department of Financial Institutions is publishing the names and last known addresses of unclaimed property owners whose last known addresses are allegedly in a state other than Illinois. The other state does not have a reciprocity arrangement with Illinois.

If your name or that of a person you represent appears below, you may contact the Department for further information about the assets.

INQUIRIES MUST BE IN WRITING. The written inquiry should include the name and address as listed, and the correct name and address for reply. If inquiring about a name other than your own, you must indicate your authority to act on behalf of that person.

Address written inquiries to:

UNCLAIMED PROPERTY DIVISION  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
P.O. Box 19495  
Springfield, Illinois 62794-9495

AUTHORITY: Implementing and required by the Illinois Uniform Disposition of Unclaimed Property Act (765 ILCS 1025/12).

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A J PARK & SON	PO BOX 949 NEW ZEALAND	FA	00000-0000
AARA	1685 W UINTAH STREET COLORADO SPRINGS	CO	80904-0000
AARP CLAIM UNIT	PO BOX 13999 PHILADELPHIA	PA	19187-0000
ABADI, ABRAHAM	30 401 FUENTE DE TRITONES TECAMACHALCO, MEXICO	FA	00000-0000
ACCETTASIONE OF MAYER HOSPITAL	VIA LUCA GIORDANO 3 FIRENZE 50132 ITALY	FA	00000-0000
ADAMSSAWICKI, KEREN	31262 PETERSON PHILOMATH	AZ	97370-0000
AESCULOPIAN FOUNDATION	1515 6TH AVENUE BIRMINGHAM	AL	35233-0000
AETNA	PO BOX 91555 ARLINGTON	TX	76015-0000
AETNA	1503 N CEDAR CREST BLVD ALLENTOWN	PA	18104-0000
AETNA	151 FARMINGTON AVE HARTFORD	CT	06156-0888
AETNA	3541 WINCHESTER RD ALLENTOWN	PA	18195-0000
AETNA GATES CLAIM UNIT	BOX 6610 LEAWOOD	KS	66206-0000
AETNA INS CO	PO BOX 800 HARTFORD	CT	06082-0000
AETNA INS CO	1600 ARCH ST PHILADELPHIA	PA	19101-0000
AETNA INSURANCE	PO BOX 6610 LEAWOOD	KS	66206-0000

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AETNA LIFE & CASUALTY	151 FARMINGTON AVE HARTFORD	CT	06156-0000
AETNA LIFE & CASUALTY	8700 STATE LINE LEAWOOD	KS	66206-0000
AETNA LIFE INS CO	151 FARMINGTON AVE HARTFORD	CT	06156-0000
AETNA LIFE INSURANCE	PO BOX 4010 HARTFORD	CT	06147-0000
AETNA LIFE INSURANCE	3541 WINCHESTER RD ALLENTOWN	PA	18195-0000
AGUILLARD, ROBERT J	4456 PONTCHARTRAIN DR 6 SLIDELL	LA	70458-0000
AHMAD, KHALIL	1013 S W 81 OKLAHOMA CITY	OK	73139-0000
AIDS ACTION COALITION	PO BOX 871 HUNTSVILLE	AL	35804-0000
AIRCAST INC	PO BOX 27953 NEWARK	NJ	00000-0000
AKATEMINEN KIRJAKAUPPA SUB SERVICES	PO BOX 23 HELINSKI, FINLAND	FA	00000-0000
ALABAMA BOARD OF PHARM	STE 425 1 PERIMETER PARK SOUTH BIRMINGHAM	AL	35243-0000
ALBERS, JOHN J	6759 ROSECREST CINCINNATI	OH	45243-0000
ALEXANDER, KEVIN	10 THE VILLIERS GOWER ROAD WEYBRIDGE SURREY, ENGLAND	FA	00000-0000
ALLENTOWN PA CITY OF		PA	00000-0000
ALVARADO, MARIBEL	8144 WALNUT HILL LN DALLAS	TX	75231-0000



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AMER COLL OF PHYSICIANS	PO BOX 7777 R 0270 PHILADELPHIA	PA	19175-0000
AMER COLLEGE OF PHYSICIAN	PO BOX 7777 R 0270 PHILADELPHIA	PA	19175-0000
AMER COLLEGE OF PHYSICIAN	PO BOX 7777 R00260 PHILADELPHIA	PA	19175-0000
AMERICAN TELE & TELEGRAPH	101 JFK PARKWAY SHORT NILES	NJ	07078-0000
ANDREWS, JAMES P	1818 LEGEN GARLAND	TX	75040-0000
APV PAVAILLER EQUIPMENT SA	USINE FRINGARD RUE BENOIT FRACHON 26800 FRANCE	FA	00000-0000
ARAB CO DETERGENT CHEM	PO BOX 27064 BAGHDAD, IRAQ	FA	00000-0000
ARMSTRONG	PO BOX 3001 LANCASTER	PA	17604-0000
ARNOLD, CHUNIE P	6563 GRAND CIRCLE BRIGHTON	MI	48116-0000
ARROYO, JULIO C	2313 BOB WHITE LN WEST COLUMBIA	SC	29169-0000
ASSOC BUS TELE SYS	432 KELLY DR BERLIN	NJ	08009-0000
ASSOC FOR THE ADV PSYCHO	PO BOX 250 MONSEY	NJ	07015-0000
AT&T	800 EASTSIDE DRIVE ALPHARETTA	GA	00000-0000
AT&T INFORMATION SYSTEMS	307 MIDDLETOWN LINCROFT LINCROFT	NJ	07738-0000
AT&T LABORATORIES	RM 1A 511 200 LAUREL AVE MIDDLE TOWN	NJ	07748-0000
AT&T MANAGER	SUITE 500		

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ATWATER, ROSALIE M	2552 E 40TH ST DENVER	CO	80205-0000
AUERBAUCH MANAGEMENT SERV	4674 COUNTY RD 2630 POMONA	MO	65789-0000
AVIS CAR LEASING OF PUERTO RICO	NORWALK PO BOX 70265 SAN JUAN	CT	06854-0000
BABINEAU, RAYMOND H	POSTFACH 269 8100 GARMISCH PARTEN WEST GERMANY	PR	00936-0000
BAILEY, TIMOTHY	8109 PATTERSON 1 DYER	FA	00000-0000
BAKER, AL	902 DEER ST KIRKVILLE	IN	46311-0000
BAKER, CAROL	902 DEER ST KIRKVILLE	MO	63501-0000
BALAGURAS, DIANN	2307 EAST 2ND ST BLOOMINGTON	MO	63501-0000
BALDWIN, ROBERT L	865 POPLAR AVE MEMPHIS	IN	00000-0000
BANCO POPULAR DE PUERTO RICO	865 POPLAR AVE MEMPHIS	TN	38105-0000
BANKS, CARLA	PUERTO RICO	FA	00000-0000
BANKS, JACQUELYN	197 SOUTH WILDWOOD HERCULES	CA	94547-0000
BARCLAYS NOMINEES BRANCHES LIMITED	197 SOUTH WILDWOOD HERCULES	CA	94547-0000
BARDIN, STEVEN J	UNITED KINGDOM UNITED KINGDOM	FA	00000-0000
BAYNES, RALPH	6520 W DERYL AVE GLENDALE	AZ	85302-0000
BCBS OF MICHIGAN	1151 S 52ND ST PHILADELPHIA	PA	19143-0000
	PO BOX 366		

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BEARING INC	DETROIT	MI	48231-0000
	PO BOX 3693	OR	97208-0000
	PORTLAND		
BEARINGS INC	PO BOX 3693	OR	97208-0000
	PORTLAND		
BEAUJEAN, IVONNE	BTE 11 B 1170	FA	00000-0000
	BRUXELLES		
	BELGIUM		
BECKMAN INSTRUMENTS INC	PO BOX 360150 M	PA	15251-0000
	PITTSBURGH		
BEHM	BURLINGTON	IA	52601-0000
BELL, JESSE	1728 LONG MEADOW RD	AL	36609-0000
	MOBILE		
BELL CANADA	CANADA	FA	00000-0000
BELL OF PENNSYLVANIA	PITTSBURGH	PA	15280-0000
BERGMANN, MARCUS	2052 S EAGLE CT	CO	80014-0000
	AURORA		
BERNSTEIN, SUE M	GREENWICH	CT	06830-0000
BHG FRAMED GRAPHICS INC	200 AIRPORT EXECUTIVE PK	NJ	07015-0000
	SPRING VALLEY		
BISHOP, MARY	208 WOODFALL	TX	76712-0000
	WACO		
BLACK BOOK	PO BOX 758	GA	30503-0000
	GAINESVILLE		
BLACKWELL, MAE	PO BOX 515	OR	97424-0000
	COTTAGE GROVE		
BLACKWELL, TONY	PO BOX 515	OR	97424-0000
	COTTAGE GROVE		
BLUE CROSS OF W PA	ONE SNITRFIELD	PA	01522-0000
	PITTSBURG		
BOLDUC, PAUL		FA	00000-0000

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BONINO, FERUCCIO	OSPEDALE MOLINETTE	FA	00000-0000
	10126 TURIN		
	ITALY		
BOSSIER	44 AVE FR ROOSEVELT	FA	00000-0000
	1800 VILVORSE		
	BELGIUM		
BOYKIN, MARY	PO BOX AB822	AR	71611-0000
	PINE BLUFF		
BREITENBUCHER, TOM	1803 LOCUST	IA	52632-0000
	KEOKUK		
BREWARD, REGINALD	APT 4J	NJ	07060-0000
	25 WASHINGTON AVE		
	NO PLAINFIELD		
BRICKLEY, HARRY D	2307 EAST 2ND ST	IN	00000-0000
	BLOOMINGTON		
BRIGMAN, PAUL	31 MCKAY CR	SC	29180-0000
	WINNSBORO		
BROWN, MARY	APT 319	OR	97227-0000
	2500 N WILLIAMS AVE		
	PORTLAND		
BROWN, THEODORE	1760 LINCOLN AVE	LA	70072-0000
	MARRERO		
BT TYMNET INC	930 JEFFERSON AVE	PA	19403-0000
	NORRISTOWN		
BUCKINGHAM, JOHN M	31 NELSON RD	FA	00000-0000
	LINFIELD N S W 2036		
	AUSTRALIA		
BULLOCK, CLAUDE	408 W WALNUT LN	PA	19134-0000
	PHILADELPHIA		
BUREAU OF BUSINESS PRACTICE	PO BOX 359	CT	06386-0000
	WATERFORD		
BURKHEAD, BILLY	218 SEIDEL ST	PA	19606-0000
	READING		
BURNSIDE, WILLIAM B	RR 3 BOX204		

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BURNSIDE, WILLIAM B	BOONESBORO	MD	21763-0000
BUSINESS COMPUTER CENTERS	10 MILLER ALLEY 1 THURMONT	MD	21788-0000
C & C INC CORP HEADQUARTERS	SIX E FIFTH PO BOX 1388 HUTCHINSON	KS	67501-0000
CAREMARK	12501 E GRAND RIVER AVE BRIGHTON	MI	48116-8551
CARPET CLEAN CARPET CLEAN	7042 SOUTH REVIER PKWY ENGLEWOOD	CO	80112-0000
CARSON, GARRETT	SUITE P 1652 42ND ST NE CEDAR RAPIDS	IA	52402-0000
CASTABEDA, JUAN	23327 CAT COVE SAN ANTONIO	TX	78264-0000
CELESTIN, G	BUSTAMANTE NO 10 COL LOS REYES IXTAC MEXICO	FA	00000-0000
CF OCEAN SERVICE BCI	DALMAS, HAITI	FA	00000-0000
CHANCEMEYERS, MICHAEL	820 N 13TH FT WORTH	TX	76118-0000
CHASE, EDWARD	925 PINEHILL DRIVE NEW BEDFORD	MA	01745-0000
CHEER LEADER ENTERPRISE CO LTD	250 QUEENS QUAY WEST APT 1801 CANADA	FA	00000-0000
CHOATE, ROSEMARY HALL	TA TSUAN HSIANG CHANG HWA HSIEN TAIWAN	FA	00000-0000
CHRISTIANSEN, DONNA M	PO BOX 788 WALLINGFORD	CT	06492-0000
CHUCK, HENRY	8117 EAST LOCUST ST DAVENPORT	IA	52803-0000
	550 SHELLEY C & D SPRINGFIELD	OR	97477-0000

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CLIFTON, FLOYD V	1308 WOODLAWN ST LOCKHART	TX	78644-1942
COLEMAN, GRANETTA	1 APPLEBY COURT SILVER SPRINGS	MD	20904-0000
COLORADO WINNING EDGE	DENVER	CO	80203-0000
COMMERCE CITY COLO	COMMERCE CITY	CO	00000-0000
COMPUTER PREP	STE 210 1707 E HIGHLAND PHOENIX	AZ	85016-0000
CONCURRENT COMPUTER CORP	197 HANCE AVE TINTONFALLS	NJ	07724-0000
CONFED ADMINISTRATION SERVICES	PO BOX 38058 TUCSON	AZ	85740-8058
CONN GENERAL	CONN GENERAL BLDG WATERFORD	CT	06152-0000
CONN GENERAL LIFE INS	PO BOX 2005 FARMINGTON	CT	06032-0000
CONNECTICUT GENERAL	PO BOX 29000 ATLANTA	GA	30359-0000
CONNECTICUT GENERAL	PO BOX 927 HUNT VALLEY	MD	21030-0000
CONNECTICUT GENERAL LIFE INS	PO BOX 2005 FARMINGTON	CT	06032-0000
CONNECTICUT GENERAL LIFE INS	PO BOX 9013 SHERMAN	TX	75090-0000
CONNECTICUT GENERAL LIFE	PO BOX 29000 ATLANTA	GA	30359-0000
CONSULTORIA INTERNATIONALS A MEXICO	MEXICO 06500 D F	FA	00000-0000
COOPER, CHARLES H	23320 NE HALSEY TROUTDALE	OR	97060-0000
COOPER, KENNETH N	1305 TOMMY LANE		



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COPS	ATHENS	AL	35611-0000
CORLUY, WALTER	WILLIAMSTON	NJ	08094-0000
CORTIJO, RAYMOND	PRINS ALBERT LEI 5 BUS 1 BELGIUM 2600 BERCHEM	FA	00000-0000
	CALIMANO EDIF C14 GUAYAMA, 60000 PUERTO RICO	FA	00000-0000
CROSFIELD ELECTRONICS CO LTD	HEMEL HEMPSTEAD HERTS HP2 7RH ENGLAND	FA	00000-0000
CROSS, JAMES	2449 GIBSON ST FLINT	MI	48503-0000
CROW, DAVID	RD 1 BOX 61 MOUNDSVILLE	WV	26041-0000
CUNNINGHAM, MARI	APT 311 6346 S 82ND EAST AVE TULSA	OK	74133-0000
CURRY, KENNY	2521 JOHNSON ST LITTLE ROCK	AR	72204-0000
CUTLER, BETSY A	131 SAND HILL ROAD MIDDLETON	CT	06457-0000
CUTLER, BETSY A	131 SAND HILL ROAD MIDDLETOWN	CT	06457-0000
CUYLE, R F	PO BOX 668 SPANISH FORT	AL	36527-0000
CYPER, LEE T	3 CHAUCER CT LIVINGSTON	NJ	07039-0000
DAEKUN CHEMICAL CO LTD	YONGIN KUN KYUNGKI DO 449 910 KOREA	FA	00000-0000
DALAL, ANIL R	108 SARAHS LN HORSHAM	PA	19044-0000
DEAN, FRANK	114 ROCKWOOD RD NEW TOWN	PA	19073-0000

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DECATUR TRANSFER & STORAGE	PO BOX 1676 HUNTSVILLE	AL	35807-0000
DEKALB OFFICE ENVIRONMENT	1690 NORTHEAST EXPRESSWAY ATLANTA	GA	30329-0000
DELESMON, ANNE	2120 MONTEREY STREET SANTA BARBARA	CA	93101-0000
DEORA, JOAN R	10125 PINE SPRINGS DR SUN CITY	AZ	85373-0000
DEROUVROIT, HENRY L	B 5800 RHISNES LA BRUYERE, BELGIUM	FA	00000-0000
DIGITAL EQUIPMENT CORP	8085 S CHESTER ST ENGLEWOOD	CO	80112-0000
DIMARTINO, LUCIA	7539 BRENTWOOD PHILADELPHIA	PA	19151-0000
DOMINION GALLERY 1978 LTD	1438 SHERBROOKE ST WEST MONTREAL H3G CANADA	FA	00000-0000
DUMONGH, FERNAND	EDINGSESTEENWEG 329 B 9490 DENDERWIN BELGIUM	FA	00000-00
DUPREE, MICHAEL	3949 MAPLE AVE DALLAS	TX	75214-0000
DURACELL CO USA	PO BOX 579 BETHEL	CT	06801-0000
EBPA	263 DRAKESIDE ROAD HAMPTON	NH	03842-0000
EDG TSG CSD NETWORK INV R	1800 JAY ELL DR SGIR RICHARDSON	TX	75081-0000
EISENBRANDT, D	RT 4 BOX 65 PARSONS	KS	67357-0000
ELLISON, VICTOR R	APT 418 2900 MAIN STREET BRIDGEPORT	CT	06606-0000

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ELLSWORTH, ROBERT F	STE 122 121 E IDGEB AVEBYE GUBSDAKE UNITED KINGDOM	FA	00000-0000	EWING, JON M	2107 W PINECREST MARSHALL	TX	75670-0000
ELSEVIER APPLIED SCIENCE PUBLISHERS LT	CROWN HOUSE ESSEX IG11 8JU ENGLAND	FA	00000-0000	EXXON CORPORATION	PO BOX 221 FLORHAM PARK	NJ	07932-0000
ELSEVIER SCIENCE PUB	PO BOX 85 LIMERICK IRELAND	FA	00000-0000	FAKEYE, LAMIDI	DEPT OF HISTORY KALAMAZOO	MI	49008-0000
EMERSON ELECTRIC C A	Z P 107 APARTADO 75 74B CARACAS VENEZUELA	FA	00000-0000	FANNIN, RANDOLPH L	380 GRANVILLE ST NEWARK	OH	43055-0000
EMPLOYEE BENEFITS INC	PO BOX 97 CHARLESTON	SC	29402-0000	FARAHVASH, V	CHEHELSTOWN ST FATEMI 59 TEHRAN 1431 IRAN	FA	00000-0000
EQ LIFE ASSURANCE SO	PO BOX 13463 NEWARK	NJ	07188-0463	FEDERAL COMMUNICATIONS COMMISSION	547R LAND MOBILE RENEWAL PO BOX 3582 PITTSBURGH	PA	15251-5245
EQUICOR	PO BOX 3050 EASTON	PA	18043-3050	FERNANDEZ, JUAN	CALLE VERACRUZ 10 GUAYNABO	FA	00657-0000
ERIE SCIENTIFIC CO OF PUERTO RICO	PORTSMOUTH INDUSTRIAL PARK PORTSMOUTH	NH	03801-0000	FERRANTI TECHNOLOGIES	LANCASTER	PA	17604-3212
ESQUEDA, RAMON	CALLE VILLA NO 338 FRACC LOMAS MEXICO	FA	00000-0000	FISHER SCIENTIFIC	DEPT 621234 01 PO BOX 405 PITTSBURGH	PA	15230-0000
EUROMONEY PUBLICATIONS PLC	406 VALE ROAD TONBRIDGE KENT ENGLAND	FA	00000-0000	FLORENCE MORNING NEW	PO BOX F 11 FLORENCE	SC	29501-0000
EVANS, PATRICIA J	PO BOX 417 ST IGNATIUS	MT	59865-0000	FLOSS, GEORGE A	RR 3 BOX 66 IOWA CITY	IA	52240-0000
EVANS, ROBERT W	430 S BARFIELD MARCO ISLAND	FL	33937-0000	FORMOSA BRASSWARE CO LTD	SEC 3 NO 71 2 YEN PING N RD TAIPEI TAIWAN	FA	00000-0000
EVER REACH ENTERPRISE CO LTD	NO 18 LANE 10 CHUNG HSING RD CHAI YI CITY TAIWAN	FA	00000-0000	FORMOSA SIGNAL INTERNATIONAL C	PO BOX 36 541 TAIPEI TAIWAN	FA	00000-0000
EVERIDGE, DAVID	RT 2 VIENNA	GA	31092-0000	FORTUNATO, GREG THOMAS	EIGHTYFOUR RD BOX 195 EIGHTYFOUR	PA	15330-0000
				FRANCO, RICHARD	PO BOX 1461 LAJOYA	TX	78560-0000

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				EWING, JON M	2107 W PINECREST MARSHALL	TX	75670-0000
				EXXON CORPORATION	PO BOX 221 FLORHAM PARK	NJ	07932-0000
				FAKEYE, LAMIDI	DEPT OF HISTORY KALAMAZOO	MI	49008-0000
				FANNIN, RANDOLPH L	380 GRANVILLE ST NEWARK	OH	43055-0000
				FARAHVASH, V	CHEHELSTOWN ST FATEMI 59 TEHRAN 1431 IRAN	FA	00000-0000
				FEDERAL COMMUNICATIONS COMMISSION	547R LAND MOBILE RENEWAL PO BOX 3582 PITTSBURGH	PA	15251-5245
				FERNANDEZ, JUAN	CALLE VERACRUZ 10 GUAYNABO	FA	00657-0000
				FERRANTI TECHNOLOGIES	LANCASTER	PA	17604-3212
				FISHER SCIENTIFIC	DEPT 621234 01 PO BOX 405 PITTSBURGH	PA	15230-0000
				FLORENCE MORNING NEW	PO BOX F 11 FLORENCE	SC	29501-0000
				FLOSS, GEORGE A	RR 3 BOX 66 IOWA CITY	IA	52240-0000
				FORMOSA BRASSWARE CO LTD	SEC 3 NO 71 2 YEN PING N RD TAIPEI TAIWAN	FA	00000-0000
				FORMOSA SIGNAL INTERNATIONAL C	PO BOX 36 541 TAIPEI TAIWAN	FA	00000-0000
				FORTUNATO, GREG THOMAS	EIGHTYFOUR RD BOX 195 EIGHTYFOUR	PA	15330-0000
				FRANCO, RICHARD	PO BOX 1461 LAJOYA	TX	78560-0000

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FRYE, TERRY	35 BEECHWOOD DR WALDORF	MD	20601-0000
FT BUSINESS INFORMATION LTD	8 16 GREAT NEW STREET LONDON ENGLAND	FA	00000-0000
FULK, STEVE	2306 GREELY LOVELAND	CO	80537-0000
FULL SUN CORP	160 CHUNG HWA RD HSIN CHU TAIWAN	FA	00000-0000
GALVAK S A	NO 34D AVE DE LA JUVENTUD 66450 N L MEXICO	FA	00000-0000
GARAFFO, CELESTE	7209 MONROE HAMMOND	IN	46324-0000
GARNER, ROBIN R	3524 CASS ST LOUIS	MO	63106-0000
GARRIDO, ANTONIO	GIC APT 302 CALLE PRIMERA EDIFICIO DOMINICAN REP	FA	00000-0000
GARRIDO, LUCIANO	CALLE 27 6 2DO PISO ENSANCHE ARBOLAD DOMINICAN REP	FA	00000-0000
GAULON, CLAY	3655 JOHNSON ST METAIRIE	LA	70001-0000
GAYLORD, KRISTIN A	PO BOX 4445 ATLANTA	GA	30302-0000
GEORGIA BLUECROSS	WASHINGTON BUILDING 10 TRINITY ATLANTA	GA	30334-0000
GERGES, AMIN H	APT 2 4 EAST ST JERSEY CITY	NJ	07306-0000
GREAT LAKES HEALTH	PO BOX 49219 COLORADO SPRINGS	CO	80949-9219

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GRIFFIN, VERNON	131 PARK SHORE CIRCLE SACRAMENTO	CA	95831-0000
GROSS, FRANK	7002 202 CHANNEL VILLAGE CT ANNAPOLIS	MD	21403-0000
HAH, MING K	PO BOX 464 PRINCETON	NJ	08540-0000
HAK SUNG ELECTRONICS CO LTD	NAMDONG GU 617 12 KANSOK 1 DONG INCHON 402 231 KOREA	FA	00000-0000
HALKIDIS, MARIA P	PAPASTRATOU 32 AGRINION GREECE	FA	00000-0000
HALKIDIS, PANAYIOTIS I	PAPASTRATOU 32 AGRINION GREECE	FA	00000-0000
HALL, FANNIE	PO BOX 32573 TUCSON	AZ	85751-0000
HARBERT CASTING REPAIR SERVICE	1380 S JASON STREET DENVER	CO	80223-0000
HARTFORD INS CO	PO BOX 2999 HARTFORD	CT	06104-0000
HARTFORD	PO BOX 2818 HARTFORD	CT	06104-2999
HARTFORD	PO BOX 29164 SHAWNEE MISSION	KS	66201-0000
HARTFORD	PO BOX 9134 OVERLAND PARK	KS	66201-0000
HARTFORD INS COMPANY	HARTFORD PLAZA HARTFORD	CT	06115-0000
HARTFORD INSURANCE	HARTFORD PLAZA HARTFORD	CT	06115-0000
HARTFORD LIFE	PO BOX 2999 HARTFORD	CT	06104-2999



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HARVEY, ANTHONY D	FEDERAL REPUBLIC OF GERMANY	FA	00000-0000
HARVEY, GABRIELE I	FEDERAL REPUBLIC OF GERMANY	FA	00000-0000
HAY, TERRY W	PO BOX 17267 HONOLULU	HI	96817-0000
HAYES MICRO COMPUTER PROD	PO BOX 100229 ATLANTA	GA	30348-0000
HEALY, LIAM	COUNTY KEL KENNY POULACAPPLE EAST CA POULACAPPLE IRELAND	FA	00000-0000
HEDSTROM, TIMOTHY P	POSTFACH 269 8100 GARMISCH PARTEN KIRCHEN WEST GERMANY	FA	00000-0000
HELPHREY, EDWARD	3520 FORBES 173 PITTSBURGH	PA	15213-0000
HERR FOODS	PO BOX 300 NOTTINGHAM	PA	19362-0000
HIAC ENTERPRISE CO LTD	49 SAN FENG ROAD TAICHUNG HSIEN TAIWAIN	FA	00000-0000
HICKS, HENRY C	7440 JOHN R DETROIT	MI	48202-0000
HIGA, MEGUMI	612 5 TAKAYASU TOMISHIRO OKINAWA JAPAN	FA	00000-0000
HILL, BILLY R	3949 MAPLE AVE DALLAS	TX	75219-0000
HILL, ROBERT J	RTE 1 BOX 240 BEASLEY	TX	77417-0000
HILL, SHARI L	12919 CREEK PARK POWAY	CA	92064-0000
HILTON HEAD ISLAND RESCUE	PO BOX 5501 HILTON HEAD	SC	29938-0000

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HINES, ROXIE A	6204 W STILES ST PHILADELPHIA	PA	19151-0000
HOECHST CELANESE	PO BOX 3700 SOMERVILLE	NJ	08876-0000
HOLAK, HEINRICH	BERLINER STR 8 D 3320 SALZGITTER GER	FA	00000-0000
HOME LIFE INSURANCE COMPANY	N E REGIONAL CLAIMS OFFICE CN1370 PISCATAWAY	NJ	08855-0000
HOMERAFTERS CTRS INC 49 1	BIRMINGHAM	AL	35202-0000
HONG SHIN CO	ROC CHUTONG CHEN HSIN CHU HSIEN TAIWAIN	FA	00000-0000
HOOD, JAMES	5526 MORRIS ST PHILADELPHIA	PA	19144-0000
HOPSON, THOMAS R	2649 VANITY FAIR DR ST LOUIS	MO	63136-0000
HORNER, GEOFFREY F	SINGAPORE PRIVATE LTD BOX 106 SINGAPORE	FA	00000-0000
HOSKI, VALLI	852 HENRIETTA BIRMINGHAM	MI	48009-0000
HOUGHTON MIFFLIN CO	MOUNT SUPPORT RD CN9000 LEBANON	NH	03766-0000
HOULETTE, DAVID	108 HOMEWOOD DR CHAPEL HILL	NC	27514-5131
HOUSER, ROBERT E	PO BOX 301 AUTAUGAVILLE	AL	36003-0000
HOUSTON, ROBERT	2717 SW 63RD OKLAHOMA CITY	OK	73159-0000
HRENNIKOFF HOLDING COMPANY LTD	3092 W 35TH AVE VANCOUVER B C CANADA	FA	00000-0000

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HULSE, RICHARD	335 W 18TH ERIE	PA	16502-0000
HUNTER DOUGLAS INC	PO DRAWER 89 TUPELO	MS	38802-0000
I T R PTE LTD	NO 03 08 SINGAPORE 1233 SINGAPORE	FA	00000-0000
IMPORTADORA INDUSTRIAL	PO BOX 562 AGICOLA GUAYAQUIL ECUADOR	FA	00000-0000
IN STORE SERVICE	2520 MONROEVILLE MONROEVILLE	PA	15146-0000
INBRASCAP	RODOVIA REGIS BITTENCOURT 1 46 SAO PAULO BRAZIL	FA	00000-0000
INSURANCE PRUDENTIAL	PO BOX 310 ISELIN	NJ	00000-0000
INTERNATIONAL RECTIFIER CORP JAPAN	HATANO SHI KANAGAWA KEN 259 13 JAPAN	FA	00000-0000
IOWA STATE UNIVERSITY	103 BESSEY HALL AMES	IA	50011-0000
ISLAND MATERIALS NV	CAPE BAY ROAD 12 NA WEST INDIES	FA	00000-0000
ISRAEL SAFES MFG LTD	KIRYAT ARYEH INDUSTRIAL ZONE TEL AVIV ISRAEL	FA	00000-0000
JACKSON, KINGSLEY W	1100 SHERBROOKE ST W MONTREAL 110 QU CANADA	FA	00000-0000
JACKSON, MARY L	APT 319 2500 N WILLIAMS AVE PORTLAND	OR	97227-0000
JACKSON CLINIC PROF ASSOC	1406 W HIGHLAND AVE JACKSON	TN	38301-0000

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JEFFERSON PARK HOSPITAL	PHILADELPHIA	PA	19131-0000
JELLUM, EGIL	RIKSHOSPITALET 9927 OSLO NORWAY	FA	00000-0000
JOHN HANCOCK	PO BOX 566499 ATLANTA	GA	30356-0000
JOHN HANCOCK INSURANCE	C 2680 1585 PAOLI PIKE WESTCHESTER	PA	19380-0000
JOHN HANCOCK MUTUAL INSURANCE	C2680 1585 PAOLI PIKE WESTCHESTER	PA	19380-0000
JOHN HANCOCK MUTUAL LIFE	PO BOX 566499 ATLANTA	GA	30336-0000
JOHNSON, RALIEGH W	PRAIRE VILLAGE	KS	66207-0000
JOHNSON, TABITHA	1649 S WILTON ST PHILADELPHIA	PA	19143-0000
JONES, LADAWN L	NAV HOSP CHARLESTON 4A CHARLESTON	SC	29408-0000
KALOHN, JOHN	440 HOLIDAY ROAD CORALVILLE	IA	52241-0000
KARAS, JOHN	PO BOX 33930A DETROIT	MI	48232-0000
KARGLEDER, GEORGE	2549 RENFREW LANSING	MI	48910-0000
KATUS, PETER	514 UNIVERSITY AVE ST PAUL	MN	00000-0000
KAYSER, MARGARET	90 YORK GATE BLVD ONTARIO M3N 2C3 DOWNSVIEW CANADA	FA	00000-0000
KELLER, BRODERICK	6425 TELEGRAPH AVE OAKLAND	CA	94609-1163
KELLER, HELEN	6425 TELEGRAPH AVE OAKLAND	CA	94609-1163
KELLER, LENN	648 WASHINGTON AVE		

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KENNINGTON, SCOTT E	DEPTFORD	NJ	08096-0000
KERR, RUSSELL	309 MATTHEW RUN ABSECON	NJ	08201-0000
KILBRIDE, PAUL	APT 3 1340 23RD DES MOINES	IA	50311-0000
KIM SHIN & YU	266 NOTCH HILL ROAD NORTH BRANFORD	CT	06471-0000
KINA COURT HOTEL	146 1 SUSONG DONG SEOUL 0 KOREA	FA	00000-0000
KING, ANNA	AGANA GU	FA	96910-0000
KING PAPER LTD CORP	800 PRIMOS AVE FOLCROFT	PA	19032-0000
KINGDON, KATHLEEN Z	300 KINGSLAND AVENUE HARRISON	NJ	07029-0000
KLECHER, DONALD W	818 KEEAUMOKU ST RM 528 HONOLULU	HI	96814-0000
KOIN TV INC	334 ROWAN ALLEY POTTSTOWN	PA	19464-0000
KREIS, DAVID J	PO BOX 2766 PORTLAND	OR	97208-0000
KRENTZ, DENISE J	29 VILLAGE COURT HAZLET	NJ	07730-0000
KRUEGER, HAROLD	APT 12 20010 SWEETGUM CIRCLE GERMANTOWN	MD	20874-0000
KUCHTA, JOHN	6255 OLD LOG TRAIL KALAMAZOO	MI	49009-0000
KUEHN, HARTMUT	37609 MEADOW HILL DR NORTHVILLE	MI	48167-0000
KUELLMAR, BERTHOLD A	BAD NAUHEIM D635 WEST GERMANY	FA	00000-0000
	PO BOX 3003		

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KUELLMAR, ELIZABETH S	MARION	IN	46953-0000
	PO BOX 3003 MARION	IN	46953-0000
KUMCHY, MICHAEL J	185 OUELLETTE AVE WINDSOR ONT N9A 6J4 CANADA	FA	00000-0000
KUZEL, ANDREW	601 S ALMA SCHOOL MESA	AZ	85202-0000
LA HOOD & ASSOCIATES INC	PO BOX 12170 OVERLAND PARK	KS	66212-0000
LAHOOD AND ASSOCIATES	PO BOX 12170 OVERLAND PARK	KS	66212-0000
LAMOTA, CASIMIRO D	CALLE 6 NUM 4 ENS SAN GERONIMO DOMINICAN REP	FA	00000-0000
LANCASTER PENN CITY TREAS	LANCASTER	PA	00000-0000
LANCASTER PRESS INC	PO BOX CALLER SERVICE 3657 LANCASTER	PA	17603-0000
LANIER WORLD WIDE INC	4667 NORTH ROYAL ATLANTA DRIVE TUCKER	GA	30084-0000
LATIMER, MICHAEL	1639 NORTHWICK COURT BALTIMORE	MD	21218-0000
LAWRIE, GAVIN	BEACONSFIELD BUCKINGHAMSHIRE UK HP9	FA	00000-0000
LAWSON, HAZEL	3125 W CITRESS WAY PHOENIX	AZ	85017-0000
LEAHY, JAMES V	POSTFACH 269 8100 GARMISCH PARTEN KIRCHEN WEST GERMANY	FA	00000-0000
LEE ANDREW CHARLIE SNEAD MAPCO	PO BOX 462 DESOTO	GA	31743-0000
LEE KUN INDUSTRIES	YESAN GUN CHUNGCHONGNAM DO KOREA	FA	00000-0000



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LEONGUERRERO, JOHN S	PO BOX 5331 JOHNSTON CITY	TN	37603-0000
LEONGUERRERO, SALLY	PO BOX 5331 JOHNSTON CITY	TN	37603-0000
LEWIS, CLIFTON	APT 16 1445 E POND DR OKEMOS	MI	48864-0000
LINDWOOD HOLDINGS LTD	BOX 2066 HALIFAX NOVA SCOTIA B3J 2Z1 CANADA	FA	00000-0000
LISTRO, MARIE J	245 EAST ST SOUTHINGTON	CT	06489-0000
LLEWELLYN, SOIA M	1012 ST PEDRO CORAL GABLES	FL	33156-0000
LOBATON, AURORA S	22322 TIARA WOODLAND HILLS	CA	91367-0000
LOCKHART, HELEN	PO BOX 301 PELL CITY	AL	35125-0000
LOFSTEAD, SIGMUND J	S 56600 HABA BRANNINGEUGEN 4C SWEDEN	FA	00000-0000
LONGO, BARBARA	712 MCCLELLAN ST PHILADELPHIA	PA	19148-0000
LONSON, MARI	25312 121ST ST TREVOR	WI	53142-0000
LOPEZ, RAFAEL C	1374 PERRY ST DENVER	CO	80204-0000
LOPEZ, RAUL A	HC 01 BOX 16273 BARRANQUITAS PUERTO	FA	00000-0000
LORILLEUX LE FRANC INTERNATIONAL	3 RUE COLLANGE 92304 LEVALLOIS PERRE CEDEX FRANCE	FA	00000-0000
LOYAL AMERICAN LIFE	MOBILE	AL	00000-0000
LYTEN INDUSTRY CO LTD	189 YUNG CHI ST KUEISHAH TAOUYUAN		

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M BANK DALLAS TX	TAIWAN	FA	00000-0000
M R S DATASCOPE INC	7155 OLD KATY ROAD 160 HOUSTON	TX	77024-0000
MANITOBA TEXT BOOK BUREAU	ACOURIS MB PO BOX 910 105 1ST AVE ROX 2 CANADA	FA	00000-0000
MANNING, MICHAEL	17552 STRATHERN ST NORTH RIDGE	CA	91325-0000
MANNING, TIM	17552 STRATHERN ST NORTH RIDGE	CA	91325-0000
MARCONI COMMUNICATION SYSTEMS	CHELMSFORD ESSEX CM1 1PL ENGLAND	FA	00000-0000
MARKS, PATRICIA	4905 FAROON ST ST JOSEPH	MO	64506-0000
MARKS, STEVE	4905 FAROON ST ST JOSEPH	MO	64506-0000
MARSHALL, JOAN	BOX 63 ARCADIA FOREIGN	FA	00000-0000
MARTINEK, CYNTHIA M	PO BOX 12176 GREEN BAY	WI	53407-0000
MASS MUTUAL LIFE INS	212 LAKESIDE DR HORSHAM	PA	19044-0000
MCCARARY, HUGH	1530 LOCUST ST LOUIS	MO	63116-0000
MCLAUGHLIN, JOSEPH A	APT 2B 4229 LA SALETTE DR ST LOUIS	MO	63123-0000
MCLAUGHLIN, MARK	1025 S LAFAYETTE FLORISSANT	MO	00000-0000
MCLEOD PHOTOGRAPHY	SUITE A 5319 MAIN ST VANCOUVER BC CANADA	FA	00000-0000

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MC MULLEN, JAMES	FRANKLINVILLE	NJ	08322-0000
MC SHEA, LINDA	SUITE 200 740 E LANCASTER PIKE EXTON	PA	19341-0000
MEACHAM, JAMES A	70 GREENHILL STAFF CIRCUSNAVEUR LONDON NW3 ENGLAND	FA	00000-0000
MECTRONICS	SANTARCE PUERTO RICO 32931	FA	00000-0000
MEDITRANS TRADING INC	EX 00088 COSTA RICA	FA	00000-0000
MELENDEZ, PABLO	URBEXT ELPRADO CALLE 4 NUM 80 AQUADILLA	FA	00603-0000
MENTSCHIKOFF, EUGENIA	1012 ST PEDRO CORAL GABLES	FL	33156-0000
MERRELL, CEDRIC R	APT K74 2165 RUGBY AVE EAST POINT	GA	30344-0000
MERSZEL, JASON B	6 PICAADILLY MANSION 6 POSHAN RD CHINA	FA	00000-0000
MERVENNE, SCOTT	1100 ATLANTIC NW GRAND RAPIDS	MI	49504-0000
METROPOLITAN	PO BOX 2158 PITTSBURG	PA	15230-2158
METROPOLITAN	PO BOX 6771 PITTSBURG	PA	15212-0000
METROPOLITAN	5680 S SYRACUSE CIR ENGLEWOOD	CO	80110-0000
METROPOLITAN INSURANCE CO	1130 N CHASE PARKWAY MARIETTA	GA	30067-0000
METROPOLITAN LIFE	PO BOX 315 KEELIN	NJ	07015-0000
METROPOLITAN LIFE INS	1130 NORTH CHASE PKWY MARIETTA	GA	30067-0000

## DEPARTMENT OF FINANCIAL INSTITUTIONS

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METROPOLITAN LIFE INS	1130 NORTHCASE PARKWAY MARIETTA	GA	30067-0000
METROPOLITAN LIFE INSURANCE COMPANY	1130 NORTH CHASE PARKWAY MARIETTA	GA	30067-0000
MICHAEL REESE LABORATORY SERVICE	PO BOX J UNION STREET WILMINGTON	DE	19805-0000
MICHELSON, RAE	9500 W BAY HARBOR DR	FL	33154-0000
MICHEZ, ALBERT	10 RUE D ATH B 7900 LEUZE EN HAINAUT BELGIUM	FA	00000-0000
MICHIGAN VEGETABLE COUNCIL INC	7000 TOWN HALL ROAD EAU CLAIRE	MI	49111-0000
MIERE, MARIE	PALM DRIVE RTE 6 Box 541 MISSION	TX	78572-0000
MILLER, MARY	M 4114 E JUAREZ TUCSON	AZ	85711-0000
MILLER, THOMAS	8385 PONTIAC LAKE RD PONTIAC	MI	48053-0000
MINUTTI, JOSE G	PROLONGACION 2 SUR NO 3515 CHOLULA P MEXICO	FA	00000-0000
MONASTERIO, PABLO O	SANTA URSULA XITLA 14420 TLALPAN MEXICO	FA	00000-0000
MOORE, MARY L	5966 CULZEAN DRIVE TROTSMOOD	OH	45426-0000
MORRIS, JAMES B	4604 BELMONT WICHITA FALLS	TX	76308-0000
MORRIS, MARKLYNNE E	421 S PATTERSON HOT SPRINGS	AR	71913-0000
MORROW, PAUL L	18 EAST AVE BURLINGTON	VT	05401-0000
MORTON, KYU S	7 MARCEL PL NEW ZEALAND		

## DEPARTMENT OF FINANCIAL INSTITUTIONS

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NASH, ELSIE P	NEW ZEALAND	FA	00000-0000
NATIONAL CHEMICAL	PO BOX 617 LIMURU KENYA	FA	00000-0000
NAVARRA, JOE	PO BOX 43106 ATLANTA	GA	30378-0000
NEGRU, OCTAVE	43605 VIVIAN STERLING HTS	MI	48078-0000
NEW ENGLAND CASTINGS INC	C H 211 GENEVA 2 01204 SWITZERLAND	FA	00000-0000
NEW SCIENTIFIC GAMES	RT 117 PO BOX 295 HIRAM	ME	04041-0000
NICHOL, T R	1000 BRANCH DR EMORY UNIVERSITY DEPT OF PHYSIOLOGY ATLANTA	GA	30201-0000
NIGHTINGALE CONANT	120 BRIGHTON ROAD CLIFTON	NJ	07015-0000
NOLD, LOUISE E	APARTMENT K2 363 LINDALE DRIVE SPRINGFIELD	OR	97477-0000
NORRIS, MAE E	1009 CARLISLE ST NATRONA HTS	PA	15065-1015
NORTHERN DRAFTING SERVICES	1420 KINNICKINNICK ANCHORAGE	AK	99508-0000
NORTHERN GATEWAY REG DIV 10	POSTAL BAG 2 VALLEYVIEW AB TOH 3 CANADA	FA	00000-0000
NORVELL, OTHA	677 N WALNUT AVE EASTON	PA	18042-0000
NUCE, JAMES	7607 MAPLE RD BALTIMORE	MD	21222-0000
OBGU, CHIGOZIE N	814 S VERNON AVE FLINT	MI	48503-0000

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ODONNELL, JAMES G	123 DOBBS DR SOMERDALE	NJ	08083-0000
OLD COUNTRY STORE	CASEY JONE VILLAGE JACKSON	TN	38305-0000
OLIN, JORDAN	APT 242 2536 YORKTOWN ST HOUSTON	TX	77056-0000
OLIVE, DAVID G	PO BOX 12176 GREEN BAY	WI	54307-0000
ONE USER GROUP	PO BOX 4024 BRIDGEWATER	NJ	08807-0000
ONEAL, STEVEN T	917 HILLSBERRY RD OXFORD	AL	36203-0000
ORKIN STEEL	SLATINGTON	PA	18080-0000
OUSTERHAUT, MELISA	RT 1 BOX 37 PELAHATCHIE	MS	39145-0000
PAGE, JAMES H	BOX 6619 LOIZA ST STATION	FA	00000-0000
PACIFIC IMPEX TAIWAN LTD	CHUTONG CHEN 241 SEC 4 CHUNG HSIEN R HSIN CHU TAIWAN	FA	00000-0000
PACIFIC IMPEX TAIWAN LTD	CHUTONG CHEN 241 SEC 4 CHUNG HSIEN R HSIN CHU TAIWAN	FA	00000-0000
PAGODA INDUSTRIES	777 COMMERCE STREET PO BOX 2142 SINKING SPRINGS	PA	19604-0000
PARIMI, HEMALATA	39 9 31 LABBIPET VIJAYAWADA A P 5200 INDIA	FA	00000-0000
PARKER, DAVID E	PO BOX 270742 OKLAHOMA CITY	OK	73127-0000
PARKER, JOHN C	632 W 46TH ST DAVENPORT	IA	52803-0000



## DEPARTMENT OF FINANCIAL INSTITUTIONS

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PARKER, LINDA J	632 W 46TH ST DAVENPORT	IA	52803-0000
PARKIN, DAVID	COLLEGEVILLE	PA	19426-0000
PARQUE INDUSTRIAL ITABO SA	ITABO HAINA BX 21427S DON DOMINICAN REP	FA	00000-0000
PARRY, CYNTHIA F	7 BOBCAT LANE LITTLETON	CO	80127-0000
PATTERSON, ANNIE	RT 1 BOX 213 CROWWELL	AL	35054-0000
PAUGH, GARY A	636 KILLIAM HILL RD LILBURN	GA	30247-0000
PC WEEK	PO BOX 5960 CHERRY HILL	NJ	00000-0000
PEARSON, THOMAS S	502 NORTH KENYON AVE MARGATE	NJ	08402-0000
PENN MUTAL LIFE INS	PO BOX 178 PHILADELPHIA	PA	19105-0000
PEREZ, RAFAEL	EDUARDO VICIOSO 57 APT A 32 ENSANCHE DOMINICAN REP	FA	00000-0000
PERKINS, JERONE	3524 CASS ST LOUIS	MO	63106-0000
PETTY, TIMOTHY	1225 NEW MARKET ROAD NEW MARKET	AL	35761-0000
PHILIPS HONG KONG LTD	HONG KONG	FA	00000-0000
PHILLIPS PUBLISHING INC	7811 MONTROSE RD POTOMAC	MD	20854-0000
PHOSY, NOUVANH	372 SYLVIA RD 2 FORESTPARK	GA	30050-0000
PIKE FISHER INC	4500 MONTGOMERY AVE BETHESDA	MD	20814-0000

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PIOTTI, FRED L	1440 SUGARTOWN ROAD BERWYN	PA	19312-0000
PIPE & TUBE SUPPLY	PO BOX 2852 LITTLE ROCK	AR	72203-0000
PLASTI CLIP CORP	11 COLUMBIA DR PO BOX 278 AMHERST	NH	03031-0000
PNEUMATIC DIVISION	41200 COCA COLA DR BELLEVILLE	MI	48111-0000
POPEN, TIMOTHY M	4428 HAINES RD ATTICA	MI	48412-0000
POST & SCHELL	1800 JOHN KENNEDY BL FT WASHINGTON	MD	19124-0000
POWELL, FREDDIE S	1981 SUTTER ST SAN FRANCISCO	CA	94115-0000
PRENTICE HALL	PO BOX 105361 ATLANTA	GA	30348-0000
PRINCIPAL MUTUAL	SUITE 200 10985 CODY OVERLAND PARK	KS	66210-0000
PRINCIPAL MUTUAL	711 HIGH ST DES MOINES	IA	50309-0000
PROTECTIVE LIFE	PO BOX 2606 BIRMINGHAM	AL	35202-0000
PROVIDENT	1401 BERLIN ROAD CHERRY HILL	NJ	08034-0000
PRUDENTIAL	PO BOX 935 PITTSBURGH	PA	15230-0000
PRUDENTIAL GROUP CLAIM	PO BOX 499 PITTSBURGH	PA	15230-0000
PRUDENTIAL INS OF AMERICA	PO BOX 450 ISELIN	NJ	08830-0000
PRUDENTIAL INSURANCE	PO BOX 1311		

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PULLIN, ARRISON D	BUFORD	GA	30518-0000
QUALITY MFG INC	824 STOWELL CR HONOLULU	HI	96818-0000
QUALITY MITSUBISHI	100 KENDALL DR FLORENCE	AL	35631-0000
QUANTEX	6120 S BROADWAY LITTLETON	CO	80121-0000
QUEZADA, RAFAEL P	PO BOX 2649 MYRTLE BEACH	SC	29577-0000
QUINONES, FRANCISCO	EDUARDO VICIOSO 57 APT A32 ENSANCHE DOMINICAN REP	FA	00000-0000
R & R ELECTRIC MOTOR SERVICE	3226 ODESSA DALLAS	TX	75212-0000
RADIO SHACK STR 0565	PO BOX 52 ONEKAMA	MI	49675-0000
RADIOCALL	PO BOX 1052 FORT WORTH	TX	76101-1052
RADIOLOGY PHYSICIANS	PO BOX 4191 MACON	GA	31208-0000
RAMOS, JANICE	WAYNESBURG	PA	15370-0000
RANDOM HOUSE	412 S 12TH STREET MURRAY	KY	42071-0000
RANLEE PUBLISHING INC	2929 MOREHOUSE HWY FAIRFIELD	CT	06430-0000
RATAN, SIRIMANA R	190 SYLVAN AVE INGLEWOOD CLIFF	NJ	07632-0000
RAY, DORIS W	BANGKOK 3 1 SURUMVIT 33 THAILAND	FA	00000-0000
	447 THACKERAY PL	FA	00000-0000

## DEPARTMENT OF FINANCIAL INSTITUTIONS

## NOTICE OF PUBLIC INFORMATION

REDIGAN, THOMAS	4179 LANCO CT DRAYTON PLAINS	MI	48239-0000
RENEGADO, LEONARDO L	BOHOL 6341 POBLACION CORTES PHILIPPINES	FA	00000-0000
RICHARDSON, JOHN R	PO BOX 80772 LAFAYETTE	LA	70598-0000
RICHARDSON, ROBERT F	501 Rhomberg Ave DUBUQUE	IA	52001-0000
RIVES & PETERSON	1700 FINANCIAL CTR BIRMINGHAM	AL	35203-0000
ROBERT HALE LTD	63 OLD BROMPTON ROAD LONDON SW7 ENGLAND	FA	00000-0000
ROBINSON, DAVID	PO BOX 188 MARKHAM	TX	77456-0000
ROMERO, JOSE L	UNION POSTAL 6 POSTAL MEXICO DF MEXICO	FA	00000-0000
ROUALET, MARK	2188 WILLOW LEAF DR ROCHESTER HILL	MI	48309-0000
ROUNDS, TAMMY L	4560 S 23RD ST MILWAUKEE	WI	53221-0000
ROYAL INTERNATIONAL PTY LTD	DONCASTER 22 FIRTH ST VICTORIA AUSTRALIA	FA	00000-0000
RUBENSTEIN, R	2300 THIMENS BLVD APT 403 ST LAURENT CANADA	FA	00000-0000
RUSH, MELVIN	1411 WALTON ST LOUIS	MO	63113-0000
RUSSELL, MARY	1411 WALTON ST LOUIS	MO	63113-0000
RUTLAND GATE PTY LIMITED	SUPREME CT N S W 2000		

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RYCHECKY, DOROTHY	AUSTRALIA	FA	00000-0000
	912 COPELAND AVE BELOIT	WI	53511-0000
RYCHECKY, MELVIN	912 COPELAND AVE BELOIT	WI	53511-0000
RYU, JI SO	KYUNGKI DO S KOREA SOUTH KOREA	FA	00000-0000
S E I CORPORATION	BLDG 7 680 E SWEDEFORD RD WAYNE	PA	19087-0000
SAE JONG ELECTRONICS CO	BUCHUN CITY 216 2 NAE DONG KYUNGKIDO KOREA	FA	00000-0000
SAFELLO GROUP U S A	2 GARDNER ROAD FAIRFIELD	NJ	07004-0000
SAHAY, BAL M	55 SELKIRK AVENUE PROFESSIONAL BUILD CANADA	FA	00000-0000
SANDERS, SHERRIE	RTE 1 BOX 155 CRAWFORDSVILLE	GA	30631-0000
SCHERING CORPORATION	2000 GALLOPING HILL ROAD KENILWORTH	NJ	07033-0000
SEARS MEADVILLE	800 MILLCREEK MALL ERIE	PA	16565-0000
SECRETARY OF STATE	CN 302 TRENTON	NJ	08625-0000
SELLON, KEN	430 PINE ST COOPERSVILLE	MI	49404-0000
SENTRY INSURANCE	PO BOX 2739 GRAND RAPIDS	MI	49501-0000
SERVICE MERCHANDISE	DRAWER CS 100425 ATLANTA	GA	30384-0000

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SETON NAME PLATE CO	20 THOMPSON RD BRANFORD	CT	06405-0000
SHACOH REPROGRAPHICS	SUITE 860 1225 JOHNSON FERRY RD MARIETTA	GA	30067-0000
SHINMEI, MASAYUKI	NATL DEFENSE MEDICAL COLLEGE JAPAN	FA	00000-0000
SIDES, MARYANN	2730 FINCHUM DR BROWNSBURG	IN	46112-0000
SIDES, PHILIP C	2730 FINCHUM DR BROWNSBURG	IN	46112-0000
SINLARATANA, PAIROJANA	2200 FULLERTON RD APT 113 B ANN ARBOR	MI	48105-0000
SIRCHIA, RAYMOND J	5374 S TAFT LITTLETON	CO	80127-0000
SMITH, CHRISTOPHER	115 VIRGINIA WALTERS	OK	73572-0000
SMITH, LEONARD	1801 NW 75TH AVE 114 PLANTATION	FL	33313-0000
SMITH, SYLVIA	1801 NW 75TH AVE 114 PLANTATION	FL	33313-0000
SOCHOR, JANET M	555 LINN ST ALLEGAN	MI	49010-0000
SONTONA, LISSETTE R	CASERIO ROIG BOX 8F83 HUMACAO 00661	FA	00000-0000
SPENCER, MARLENE J	2871 GREENMEADOW 2 HUDSONVILLE	MI	49426-0000
SPM PLASTICS LTD	130 SNIDERCRAFT RD 4 CONCORD ONTARIO	FA	00000-0000



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SRI LANKA NAVY	PO BOX 593 COLOMBO 1 SRI LANKA	FA	00000-0000
STANDARD FEDERAL SAVINGS BANK	PO BOX 9841 GAITHERSBURG	MD	20989-0000
STAPLES, DAVID W	4 WESTGATE CIRCLE FRAZER	PA	19355-0000
STATE ENTERPRISE FOR IRON & STEEL	PO BOX 348 BASRAH IRAQ	FA	00000-0000
STEFANONI, JOSE G	PROLONGACION 2 SUR NO 3515 CHOLULA P MEXICO	FA	00000-0000
STEPHENS, W M	1710 BELCOURT AVE NASHVILLE	TN	37212-0000
STERNBERG, GENE H	BEEBROOK RD PO BOX 257 WASHINGTON	CT	06794-0000
STEVENS, JEFF	816 NORTHWEST 90TH TERRACE PLANTATION	FL	33324-0000
STRAITH, FRANK J	520 VALLEY LANSING	KS	66403-0000
SUBURBAN PROPANE GAS CORP	BOX WHIPPANY	NJ	07981-0000
SULLIVAN, JIM	APT 1R 239 WILDWOOD HAMMOND	IN	46324-0000
SUPER HOBBIES	COVARRUBIAS STE 8 SAN MIGUEL CHAPULT MEXICO	FA	00000-0000
SUPERIOR RENT TO OWN INC	3540 ROGERB CHAFFEE GRAND RAPIDS	MI	49548-0000
SUTTON, CHERYL R	STE 101 4 HOSPITAL PLAZA CLARKSBURG	WV	26301-0000
SYLVAN RDG CORP	15943 S HARLEM		

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T FOSTER & ASSOC INC	MONTGOMERY	AL	36103-0000
TAKACHIHO TSUSHINKIKI CO LTD	PO BOX 18 SCOTTSVILLE	NJ	14546-0000
TAYLOR, JOHN	18 YABUKURO INUYAMA SHI AICHI KEN JAPAN	FA	00000-0000
TAYLOR, VICTORIA	35 OWL CREEK RD BOULDER	CO	80302-0000
TECHNICAL ASSOCIATION OF	7734 INDIAN BOUNDARY GARY	IN	46403-0000
TETRAS S A	PO BOX 105113 ATLANTA	GA	30348-0000
THAGGARD, ARNOLD	F 93200 SAINT DENIS FRANCE	FA	00000-0000
THAGGARD, DOROTHY C	A RT 2 RIVERSIDE 1 PEMBROKE	NC	28372-0000
THOMPSON, JESSIE W	RT 2 RIVERSIDE 1 PEMBROKE	NC	28372-0000
TIMMONS, WILLIAN S	24 SOUTHERN HILLS NEW FREEDOM	PA	17349-0000
TOBISHI KOSAN CO LTD	10 KINGS HWY WEST DEPTFORD	NJ	08086-0000
TOWN CLERK	201202 SAKAWA SAITAMA KEN 388 JAPAN	FA	00000-0000
TRAVELERS	NORWALK	CT	00000-0000
TRAVELERS	ONE TOWER SQ MPB HARTFORD	CT	06183-6920
TRAVELERS	PO BOX 323 GRAND RAPIDS	MI	49501-0323
TRAVELERS INSURANCE CO	PO BOX 10066 AUGUSTA	GA	30999-0001
TRAVELERS PLAN ADMINISTRATION	PO BOX 60666		

## DEPARTMENT OF FINANCIAL INSTITUTIONS

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TRAVELERS INSURANCE CO	NEW ORLEANS	LA	70160-0000
TRAWEEK, WILLIAM	1 TOWER SQUARE HARTFORD	CT	06183-0000
TREPTON, LEROY	2832 TARA DRIVE JACKSON	MS	39211-0000
TREPTON, MARY	2504 KELLY COURT DYER	IN	46311-0000
TULIPER, MICHAEL	2504 KELLY COURT DYER	IN	46311-0000
TURNER, DONN M	50 STRONGS AVE RUTLAND	VT	05701-0000
TURNER, MARGARET	1313 RIVERSIDE AVE FT COLLINS	CO	80524-0000
UAW LOCAL 0599	3485 HAZELWOOD PHOENIX	AZ	85241-0000
UNION CARBIDE CORP	512 LEITH ST FLINT	MI	48505-0000
UNION TANK CAR CO	39 OLD RIDGE BURG RD DANBURY	CT	06817-0000
UNITED STATES FIRE HOSE CORP	PO BOX 511 EL DORADO	KS	67042-0000
UNIVERSAL PACKAGING CORP	5006 SPACE CENTER DRIVE SAN ANTONIO	TX	78218-0000
UNIVERSITY OF NICE	UNIT 218 3700 HAVANA DENVER	CO	80239-0000
UNUM LIFE	5 RUE PIERRE DEVOLUY 06000 NICE FRANCE	FA	00000-0000
US GYPSUM CO	2211 CONGRESS STREET PORTLAND	ME	04122-0000
	2 DIVISION ST RIVER ROUGE	MI	48218-0000

## DEPARTMENT OF FINANCIAL INSTITUTIONS

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VAAS INDUSTRIE ELEKTRONIKGMBH	7088 HUETTLINGEN FED REP GERMANY	FA	00000-0000
VALDEZ, EDUARDO	TRACSA SA A P 1 3777 GUADALAJARA MEXICO	FA	00000-0000
VANDERVOORT, KENNETH	4310 ASCOT HOUSTON	TX	77092-0000
VERMONT COMMISSIONER OF B		VT	00000-0000
VINSON, CYNTHIA	1060 CRANBERRY TRAIL ROSWELL	GA	30076-0000
VITHAYASAI, V	BANGKOK THAILAND	FA	00000-0000
VWR SCIENTIFIC	PO BOX 640129 PITTSBURGH	PA	15264-0169
W B SAUNDERS COMPANY	INDEPENDENCE SQUARE WEST PHILADELPHIA	PA	19106-0000
WALCH, JOHN J	6815 CHIMNEY ROCK RD 130 BELLAIRE	TX	77401-0000
WALKER, SANDRA	HWY 78 & E HLY HLS 31 HOLSPPRING	MS	38634-0000
WATTS, ICY	RTE 7 BOX 459 TALLADEGA	AL	35160-0000
WEICHMAN, RICHARD R	7116 S W MURRAY BLVD BEAVERTON	OR	97005-0000
WELCH, JOHN L	4560 S 23RD ST MILWAUKEE	WI	53221-0000
WESTINGHOUSE ELECTRIC CORPORATION	750 TRUMBULL DRIVE PITTSBURGH	PA	15205-0000
WHOLESALE CLUB	3055 LAKE EASTBROOK SE KENTWOOD	MI	49508-0000

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WILLIAMSON, G R	JEDDAH SAUDI ARABIA	FA	00000-0000
WINCAPAW, LINDA K	PO BOX 83 PAUMA VALLEY	CA	92082-0000
WOO YEONG MFG CO LTD	715 4 MORA DONG PUSAN CITY 616 080 K	FA	00000-0000
WOZNIAK, LAURA	7209 MONROE ST HAMMOND	IN	46324-0000
XINHUA ELECTRIC WIRE AND CABLE	168 EAST LANE HUBEI VILLAGE LUOLITU GUANG DONG CHINA	FA	00000-0000
YELLOW PAGES ADVERTISING	SUITE 200 1333 CORPORATE DR IRVING	TX	75038-0000
YOKOGAWA CORP OF AMERICA	2 DART RD SHENANDOAH	GA	30265-0000
YOUNG, GERTRUDE	723 S APRILIA AVE COMPTON	CA	90220-0000
ZARDAS, LOUIS	720 59TH PL KENOSHA	WI	53140-0000

## POLLUTION CONTROL BOARD

## NOTICE OF PUBLIC INFORMATION ON PROPOSED AMENDMENTS

## NOTICE PURSUANT TO 415 ILCS 5/7.2(b)

Section 22.4(a) of the Environmental Protection Act (Act) [415 ILCS 5/22.4(a)] requires the Board to adopt regulations that are "identical in substance" to USEPA RCRA Subtitle C rules adopted pursuant to Sections 3001 through 3005 of the Resource Conservation and Recovery Act of 1976 (42 U.S.C. Sections 6921-6925). These rules are contained in 35 Ill. Adm. Code 702, 703, 705, 720 through 726, 728, 733 (soon to be added), and 739.

On June 20, 1996, in R95-20, the Pollution Control Board adopted amendments, which included a 61-page opinion and a 286-page order. The Board withheld filing those amendments for 30 days to allow USEPA to review the adopted rules before filing. Notices of Adopted Amendments and a Notice of Adopted Rules (totaling about 350 pages) appear in the present issue of the *Illinois Register* relating to that proceeding.

In a segment of the proposed opinion of June 20, 1996, the Board entered the following pursuant to 415 ILCS 5/7.2(b):

EXPEDITED CONSIDERATION AND REASON FOR DELAY

Prior to commencing work on the present amendments, the Board received requests to expedite this docket. As described above, the Board granted expedited consideration by orders dated October 19 and December 7, 1995. The October 19, 1995 order also set forth reasons for delay in this docket--i.e., "present and recent-past demands on Board resources and personnel, including those associated with completing the prior update, R95-4/R95-6". The Board again set forth reasons for delay in the proposed opinion of February 1, 1996. Although the adoption of these amendments is later than was earlier anticipated on October 19 and December 7, the adoption of these amendments represents a significant effort on the part of the Board to act as promptly as possible, given the magnitude of the amendments included in this docket and competing priorities for the Board and its staff. Having now completed all the necessary work to complete this rulemaking as rapidly as possible and having now voted to adopt the amendments, the Board presently anticipates filing the adopted amendments with the Secretary of State 30 days later.

Direct questions about this Notice of Public Information or about this rulemaking proceeding to the address below. Please refer to docket number R95-20.

Michael J. McCambridge  
Pollution Control Board  
100 West Randolph, Suite 11-500  
Chicago IL 60601  
312/814-6924  
Internet: mcambr@pcb016rl.state.il.us



## POLLUTION CONTROL BOARD

## NOTICE OF PUBLIC INFORMATION ON PROPOSED AMENDMENTS

## NOTICE OF PUBLIC INFORMATION PURSUANT TO 415 ILCS 5/28.1(d)(3)

Section 28.1(d)(3) of the Environmental Protection Act (Act) [415 ILCS 5/28.1(d)(3)] requires the Board to annually publish in the Illinois Register and the Environmental Register a listing of all determinations made pursuant to Section 28.1 at the end of each fiscal year. This notice sets forth all adjusted standard and combined sewer overflow exception determinations made by the Board during fiscal year 1996 (July 1, 1995 through June 30, 1996).

**Final Actions Taken by the Pollution Control Board  
in Adjusted Standards Proceedings  
during Fiscal Year 1996**

(between July 1, 1995 and June 30, 1996)

Docket/Docket Title	Final Determination
AS 91-13: In the Matter of: Petition of City of Rock Island for an Adjusted Standard from 35 Ill. Adm. Code 304	On October 19, 1995, the Board granted this Rock Island facility an adjusted standard from the total suspended solids, iron, and manganese effluent standards of the water pollution control regulations for the discharge on an intermittent basis of wastewater from its potable water treatment sedimentation basins to Black Hawk Creek, subject to conditions.
AS 93-1: In the Matter of: Petition of Quantum Chemical Corp., USI Div., for an Adjusted Standard from 35 Ill. Adm. Code 304.120(c)	On June 6, 1996, the Board granted this Grundy County facility an adjusted standard from certain biochemical oxygen demand and total suspended solids effluent requirements of the water pollution control regulations.
AS 93-4: In the Matter of: Petition of Conversions Systems, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 811 (Liner)	On July 7, 1995, the Board granted the petitioner an adjusted standard from certain of the landfill liner and intermediate cover requirements of the land pollution control regulations for landfills using its Poz-O-Tec (Registered Trademark) process and materials, subject to conditions; the Board reserved rulemaking docket R96-1 to consider incorporating this adjusted standard into a rule of general applicability. (The Second Notice period for R96-1 ends on August 14, 1996, leaving the Board free to adopt regulations in this regard.)
AS 93-5: In the Matter of: Petition of Conversions	On July 7, 1995, the Board granted the petitioner an adjusted standard from certain

## POLLUTION CONTROL BOARD

## NOTICE OF PUBLIC INFORMATION ON PROPOSED AMENDMENTS

**Systems, Inc. for an Adjusted  
Standard from 35 Ill. Adm.  
Code 811 (Monofill)**

of the landfill compaction, liner, leachate, and intermediate and final cover requirements of the land pollution control regulations for monofills using its Poz-O-Tec (Registered Trademark) process and materials, subject to conditions; the Board reserved rulemaking docket R96-1 to consider incorporating this adjusted standard into a rule of general applicability. (The Second Notice period for R96-1 ends on August 14, 1996, leaving the Board free to adopt regulations in this regard.)

**AS 94-2: In the Matter of:  
Petition of the Solar Corp.  
and the IEPA for an Adjusted  
Standard from 35 Ill. Adm.  
Code 218.Subpart PP**

On July 20, 1995, the Board granted this Lake County facility an adjusted standard from certain of the requirements of the air pollution control regulations otherwise applicable to emissions of volatile organic material from miscellaneous product manufacturing processes, subject to conditions.

**AS 94-3: In the Matter of:  
Petition of Outboard Marine  
Corp. (OMC Waukegan Facility)  
for an Adjusted Standard from  
35 Ill. Adm. Code 218**

On December 7, 1995, the Board granted this Lake County facility an adjusted standard, subject to conditions, from certain of the volatile organic material (VOM) emissions and recordkeeping requirements of the air pollution control regulations applicable to "other units" (a marine engine die casting operation) in the Chicago metropolitan area.

**AS 94-4: In the Matter of:  
Petition of Chase Products  
Co. for an Adjusted Standard  
from 35 Ill. Adm. Code  
218.Subpart DD**

On May 16, 1996, the Board granted this Cook County facility an adjusted standard, subject to conditions, from certain of the volatile organic material emissions requirements of the air pollution control regulations applicable in the Chicago metropolitan area.

**AS 94-8: In the Matter of:  
Petition of Acme Steel Co. and  
LTV Steel Co. for an Adjusted  
Standard from 35 Ill. Adm.  
Code Sections 302.211**

On July 7, 1995, the Board granted the petitioners an adjusted standard from the thermal discharge requirements of the water pollution control regulations for their Cook County facilities, as that section would apply to their discharges to the Calumet River between the 95th Street Bridge and the O'Brien Lock and Dam.

**AS 94-15: In the Matter of:**

On August 24, 1995, the Board denied an

## POLLUTION CONTROL BOARD

## NOTICE OF PUBLIC INFORMATION ON PROPOSED AMENDMENTS

Petition of Lone Star Industries, Inc. for an Adjusted Standard from 35 Ill. Adm. Code Section 811.320(d)

AS 94-19: In the Matter of: Petition of Hepworth U.S. Holdings, Inc., Manley Brothers, and Silica Sand Trust for Adjusted Standard from Treatment of Overflows and Bypass Regulations 35 Ill. Adm. Code 620.410

adjusted standard from certain of the land pollution control (landfill) regulations pertaining to establishing the background concentration of contaminants in the groundwater at this LaSalle County facility.

On November 16, 1995, the Board granted this LaSalle County facility an adjusted standard, subject to conditions, from the Class I Groundwater quality standards for lead, nickel, and arsenic, applicable to the 50-acre northwest portion of the 550-acre facility.

The Board granted this Macon County facility an adjusted standard with conditions, from the tire and building separation requirements of the land pollution control (used tire) regulations. On June 6, 1996, the Board granted reconsideration and removed a condition from the adjusted standard.

AS 95-1: In the Matter of: Petition of Tommy House Tire Co. for an Adjusted Standard from 35 Ill. Adm. Code 848.202 (b)(1), (b)(2) and (b)(5)

AS 95-3: In the Matter of: The Joint Petition of the City of Metropolis and the EPA for an Adjusted Standard from 35 Ill. Adm. Code 304 for Suspended Solids, 5-Day Biochemical Oxygen Demand (BOD[5]) and Ammonia Nitrogen

On June 6, 1996, the Board granted this Massac County petitioner an adjusted standard, with conditions, from certain of the biochemical oxygen demand, total suspended solids, and ammonia nitrogen effluent requirements of the water pollution control regulations.

AS 95-4: In the Matter of: Petition of the Metropolitan Water Reclamation District of Greater Chicago for an Adjusted Standard from 35 Ill. Adm. Code Part 811, 812, and 817 (Sludge Application)

On August 24, 1995, the Board granted this Cook County petitioner an adjusted standard from certain of the land pollution control regulations to allow the use of wastewater sludge in lieu of soil for final cover at certain types of landfills.

AS 95-7: In the Matter of: Petition of Western Lion Limited for an Adjusted Standard from 35 Ill. Adm. Code 814.Subpart C

On July 20, 1995, the Board found that the petitioner had not timely filed a certification of publication and dismissed this petition filed on behalf of a Coles County facility for an adjusted standard from certain of the closure requirements of the land pollution control regulations.

## POLLUTION CONTROL BOARD

## NOTICE OF PUBLIC INFORMATION ON PROPOSED AMENDMENTS

AS 95-8: In the Matter of: Petition of Illinois Department of Transportation, District 8 for an Adjusted Standard from 35 Ill. Adm. Code 304.124

On October 20, 1995, the Board granted this Madison County facility an adjusted standard as recommended by the Agency from the iron effluent requirements of the water pollution control regulations, subject to conditions, to allow the continued discharge of groundwater from its deep well system into the Mississippi river; but the Board found that since the petition requested relief only as to iron, there was insufficient information in the record to support a similar adjusted standard applicable to the petitioner's discharges of total suspended solids.

AS 96-1: In the Matter of: Petition of Illinois Power Co. (Baldwin Power Plant) for an Adjusted Standard from 35 Ill. Adm. Code 302.208 and 304.105

On May 2, 1996, the Board granted this Randolph and St. Clair County facility an adjusted standard, subject to conditions, from certain of the boron effluent requirements of the water pollution control regulations standard for its discharges into the Kaskaskia River.

AS 96-2: In the Matter of: Petition of Western Lion Limited for an Adjusted Standard from 35 Ill. Adm. Code 814.Subpart C

On January 4, 1996, the Board granted voluntary withdrawal of this petition filed on behalf of a Coles County facility for an adjusted standard from certain of the land pollution control (landfill) regulations applicable to chemical and putrescible waste landfills that will remain open after September 18, 1997.

AS 96-3: In the Matter of: Petition of Cabot Corp. for an Adjusted Standard from 35 Ill. Adm. Code 738.Subpart B

On March 7, 1996, the Board granted this Douglas County facility an adjusted standard, with conditions, from certain of the land disposal restriction requirements of the underground injection control rules of the land pollution control regulations.

AS 96-4: In the Matter of: Petition of Laidlaw Waste Systems, Inc. (Coles County Landfill) for an Adjusted Standard from 35 Ill. Adm. Code 811.319(d)(3)(A) and 811.317(b)

On December 20, 1995, the Board granted voluntary dismissal, without prejudice, of this petition for an adjusted standard from certain of the groundwater impact assessment and assessment monitoring requirements of the land pollution control (landfill) regulations.

AS 96-5: In the Matter of:

On April 4, 1996, the Board granted this

## POLLUTION CONTROL BOARD

## NOTICE OF PUBLIC INFORMATION ON PROPOSED AMENDMENTS

Petition of Illinois Department of Transportation, District 8 for an Adjusted Standard from 35 Ill. Adm. Code 304.124

Madison County facility an adjusted standard, with conditions, from the total suspended solids effluent requirements of the water pollution control regulations.

AS 96-8: In the Matter of: Petition of Central Illinois Light Co. (Duck Creek Station) for an Adjusted Standard from 35 Ill. Adm. Code 302.208 and 304.05

On June 22, 1995, the Board granted this Fulton County facility an adjusted standard, with conditions, from certain boron effluent discharge requirements and water quality standards of the water pollution control regulations.

Final Actions Taken by the Pollution Control Board in Combined Sewer Overflow Proceedings during Fiscal Year 1996  
(between July 1, 1995 and June 30, 1996)

86-2: Petition of the City of LaSalle for Exception to the Combined Sewer Overflow Regulations

On December 20, 1995, the Board denied this LaSalle County petitioner a permanent exception to the combined sewer overflow regulations due to water quality effects of the discharge and closed the docket. On February 15, 1996, the Board granted reconsideration, vacated its prior order, and accepted a second amended petition for hearing. (On November 3, 1994, the Board granted the petitioner an extension of a temporary exception from the prohibition against discharge of combined sewer overflows until December 1, 1995. The Board granted an adjusted standard based on this petition on July 18, 1996.)

Address written comments or request copies concerning the substance of the rulemaking, noting the appropriate docket number, as follows:

Dorothy Gunn, Clerk  
Pollution Control Board  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601  
Telephone: 312/814-3620

Address questions concerning this notice, noting the appropriate docket number, as follows:

Michael J. McCambridge, Attorney  
Pollution Control Board

## POLLUTION CONTROL BOARD

## NOTICE OF PUBLIC INFORMATION ON PROPOSED AMENDMENTS

100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601  
Telephone: 312/814-6924  
Internet: mmccambr@pcb016r1.state.il.us



## DEPARTMENT OF LABOR

## NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

- 1) Heading of the Part: Minimum Wage Law
- 2) Code Citation: 56 Ill. Adm. Code 210
- 3) Register Citation to Notice of Proposed Rules: 20 Ill. Reg. 10254 (Aug. 2, 1996)
- 4) Date, Time and Location of Public Hearing:

Tuesday, September 17, 1996

10:00 A.M.  
Illinois Department of Labor  
160 North LaSalle St., Suite C-1300  
Chicago, IL 60601

- 5) Other Pertinent Information: The hearing will be held for the sole purpose of gathering public comment on the proposed Amendments. Persons interested in presenting testimony at this hearing are advised that the Illinois Department of Labor will adhere to the following procedures in the conduct of the hearing:

- a. No oral testimony shall exceed an aggregate of twenty (20) minutes.
- b. Each person presenting oral testimony shall provide to the hearing officer a written (preferably typed) copy of such testimony at the time the oral testimony is presented. No oral testimony will be accepted without a written copy of the testimony being provided.
- c. No person will be recognized to speak for a second time until all persons wishing to testify have done so.
- d. In order to provide for a balanced presentation of views and to facilitate the orderly conduct of the hearing, the hearing officer may impose such other rules of procedure, including the order of call of witnesses, as s/he deems necessary.

- 6) Name and Address of Agency Contact Person: Questions regarding these proposed Amendments or the public hearing shall be directed to:

Scott D. Miller  
Chief Legal Counsel  
Illinois Department of Labor  
160 North LaSalle St., Suite C-1300  
Chicago, IL 60601  
312/793-1805

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
JAMES R. THOMPSON CENTER

ROOM 16-503  
CHICAGO, ILLINOIS  
10:00 A.M.  
AUGUST 20, 1996

**NOTICES:** Due to Register submittal deadlines, the Agenda below may be incomplete. Other items not contained in this published Agenda are likely to be considered by the Committee at the meeting.

*It is the policy of the Committee to allow only representatives of State agencies to testify orally on any rule under consideration at Committee hearings. If members of the public wish to express their views with respect to a proposed rule, they should submit written comments to the Office of the Joint Committee on Administrative Rules at the following address:*

Joint Committee on Administrative Rules  
700 Stratton Office Building  
Springfield, Illinois 62706

**RULEMAKINGS SCHEDULED FOR JCAR REVIEW**

The following rulemakings are scheduled for review at this meeting. JCAR staff may be proposing action with respect to some of these rulemakings. JCAR members may have questions concerning, and may initiate action with respect to, any item scheduled for JCAR review and any other issues within the Committee's purview.

**PROPOSED RULEMAKINGS**Environmental Protection Agency

Environmental Laboratory Certification Fee Rules (35 Ill Adm Code 185)

-First Notice Published: 20 Ill Reg 13481 - 9/29/95

-Expiration of Second Notice Period: 9/15/96

Insurance

Small Employer Carrier Actuarial Certification and Documentation Requirements (50 Ill Adm Code 5100)

-First Notice Published: 20 Ill Reg 3688 - 3/1/96

-Expiration of Second Notice Period: 8/25/96

Valuation of Life Insurance Policies (Including the Introduction and Use of New Select Mortality Factors) (50 Ill Adm Code 1409)

-Notice Published: 20 Ill Reg 3695 - 3/1/96

-Expiration of Second Notice Period: 9/9/96

Labor

Personnel Records Review Act (56 Ill Adm Code 355)  
 -First Notice Published: 20 Ill Reg 3729 - 3/1/96  
 -Expiration of Second Notice Period: 9/6/96

Natural Resources

Cock Pheasant, Hungarian Partridge, Bobwhite Quail, and Rabbit Hunting (17 Ill Adm Code 530)  
 -First Notice Published: 20 Ill Reg 7483 - 5/31/96  
 -Expiration of Second Notice Period: 8/31/96

Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Beaver and Woodchuck (Groundhog) Trapping (17 Ill Adm Code 570)  
 -First Notice Published: 20 Ill Reg 5948 - 4/26/96  
 -Expiration of Second Notice Period: 8/29/96

Duck, Goose and Coot Hunting (17 Ill Adm Code 590)

-First Notice Published: 20 Ill Reg 7736 - 6/14/96  
 -Expiration of Second Notice Period: 9/15/96

Youth Hunting Season for White-Tailed Deer (17 Ill Adm Code 685)

-First Notice Published: 20 Ill Reg 7502 - 5/31/96  
 -Expiration of Second Notice Period: 8/31/96

Bonding and Insurance Requirements for Surface Coal Mining and Reclamation Operations (62 Ill Adm Code 1800)

-First Notice Published: 20 Ill Reg 4224 - 3/15/96  
 -Expiration of Second Notice Period: 9/27/96

Nuclear Safety

Accrediting Persons in the Practice of Medical Radiation Technology (32 Ill Adm Code 401)

-First Notice Published: 20 Ill Reg 3772 - 3/1/96  
 -Expiration of Second Notice Period: 9/6/96

Certification of Individuals to Perform Industrial Radiography (32 Ill Adm Code 405)

-First Notice Published: 20 Ill Reg 3779 - 3/1/96  
 -Expiration of Second Notice Period: 9/6/96

Registration of Radon Detection and Mitigation Services (32 Ill Adm Code 420)

-First Notice Published: 20 Ill Reg 3785 - 3/1/96  
 -Expiration of Second Notice Period: 9/6/96

Professional Regulation

Marriage and Family Therapy Licensing Act (68 Ill Adm Code 1283)  
 -First Notice Published: 20 Ill Reg 6365 - 5/10/96  
 -Expiration of Second Notice Period: 9/15/96

Public Aid

Developmental Disabilities Services (89 Ill Adm Code 144)  
 -First Notice Published: 20 Ill Reg 7302 - 5/24/96  
 -Expiration of Second Notice Period: 9/13/96

Racing Board

Claiming Races (11 Ill Adm Code 510)  
 -First Notice Published: 20 Ill Reg 7769 - 6/14/96  
 -Expiration of Second Notice Period: 9/12/96

Rehabilitation Services

Eligibility (89 Ill Adm Code 682)  
 -First Notice Published: 20 Ill Reg 5296 - 4/5/96  
 -Expiration of Second Notice Period: 8/24/96

Revenue

Property Tax Code (86 Ill Adm Code 110)  
 -First Notice Published: 20 Ill Reg 7305 - 5/24/96  
 -Expiration of Second Notice Period: 9/4/96

Property Tax Code (86 Ill Adm Code 110)  
 -First Notice Published: 20 Ill Reg 7509 - 5/31/96  
 -Expiration of Second Notice Period: 9/4/96

Secretary of State

Public Library Construction Grants (23 Ill Adm Code 3060)  
 -First Notice Published: 20 Ill Reg 5490 - 4/12/96  
 -Expiration of Second Notice Period: 9/15/96

Statements of Economic Interest (2 Ill Adm Code 565)

-First Notice Published: 20 Ill Reg 7586 - 6/7/96  
 -Expiration of Second Notice Period: 9/15/96

Transportation

Disadvantaged Business Enterprises (92 Ill Adm Code 10)  
 -First Notice Published: 20 Ill Reg 7367 - 5/24/96  
 -Expiration of Second Notice Period: 9/7/96

Rules on Transporting Pupils Where Walking Constitutes a Serious Safety Hazard (92 Ill Adm Code 556)

- First Notice Published: 20 Ill Reg 6660 - 5/17/96
- Expiration of Second Notice Period: 9/7/96

**EMERGENCY & PEREMPTORY RULEMAKINGS**Agriculture

Meat and Poultry Inspection Act (8 Ill Adm Code 125) (Peremptory)  
-Notice Published: 20 Ill Reg 10403 - 8/2/96

Central Management Services

Pay Plan (80 Ill Adm Code 310) (Emergency)  
-Notice Published: 20 Ill Reg 10213 - 7/26/96

Children and Family Services

Rate Setting (89 Ill Adm Code 356) (Emergency)  
-Notice Published: 20 Ill Reg 9265 - 7/12/96

Public Aid

Related Program Provisions (89 Ill Adm Code 117) (Emergency)  
-Notice Published: 20 Ill Reg 10381 - 8/2/96

Medical Payment (89 Ill Adm Code 140) (Emergency)  
-Notice Published: 20 Ill Reg 9312 - 7/12/96

Hospital Services (89 Ill Adm Code 148) (Emergency)  
-Notice Published: 20 Ill Reg 9281 - 7/12/96

Hospital Reimbursement Changes (89 Ill Adm Code 152) (Emergency)  
-Notice Published: 20 Ill Reg 9272 - 7/12/96

Long Term Care Reimbursement Changes (89 Ill Adm Code 153) (Emergency)  
-Notice Published: 20 Ill Reg 9306 - 7/12/96

Rehabilitation Services

Assessment for Determining Eligibility and Rehabilitation Needs (89 Ill Adm Code 553) (Emergency)  
-Notice Published: 20 Ill Reg 10385 - 8/2/96

Secretary of State

Procedures and Standards (92 Ill Adm Code 1001) (Emergency)  
-Notice Published: 20 Ill Reg 9355 - 7/12/96

State Police

Gang Crime Witness Protection Act (20 Ill Adm Code 1275) (Emergency)  
-Notice Published: 20 Ill Reg 10390 - 8/2/96

Student Assistance Commission

Illinois Incentive for Access (IIA) Program (23 Ill Adm Code 2736) (Emergency)  
-Notice Published: 20 Ill Reg 10397 - 8/2/96

**AGENCY RESPONSES**Comptroller

Illinois Funeral or Burial Funds Act (38 Ill Adm Code 610)

Public Aid

Medical Assistance Programs (89 Ill Adm Code 120)



JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

## SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of July 30, 1996 through August 5, 1996 and have been scheduled for review by the Committee at its August 20, 1996 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield, IL 62706.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
9/12/96	Illinois Racing Board, Claiming Races (11 Ill Adm Code 510)	6/14/96 20 Ill Reg 7769	8/20/96
9/13/96	Department of Public Aid, Developmental Disabilities Services (89 Ill Adm Code 144)	5/24/96 20 Ill Reg 7302	8/20/96
9/15/96	Department of Professional Regulation, Marriage and Family Therapy Licensing Act (68 Ill Adm Code 1283)	5/10/96 20 Ill Reg 6365	8/20/96
9/15/96	Department of Natural Resources, Duck, Goose and Coot Hunting (17 Ill Adm Code 590)	6/14/96 20 Ill Reg 7736	8/20/96
9/15/96	Environmental Protection Agency, Environmental Laboratory Certification Fee Rules (35 Ill Adm Code 185)	9/29/95 19 Ill Reg 13481	8/20/96
9/15/96	Secretary of State, Public Library Construction Grants (23 Ill Adm Code 3060)	4/12/96 20 Ill Reg 5490	8/20/96
9/15/96	Secretary of State, Statements of Economic Interest (2 Ill Adm Code 565)	6/7/96 20 Ill Reg 7586	8/20/96

Rules acted upon during the quarter of July 1 through September 30, 1996 are listed in the Issues Index by Title number, Part number and Issue number. For example, 50 Ill. Adm. Code 952 published in Issue 2 will be listed as 50-952-2. Inquiries about the Issues Index may be directed to the Administrative Code Division at 217-782-4414 or [jnatale@ccgate.sos.state.il.us](mailto:jnatale@ccgate.sos.state.il.us) (Internet address).

## PROPOSED

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MAIL TO:

GEORGE H. RYAN  
SECRETARY OF STATE  
INDEX DEPARTMENT  
111 E. MONROE  
SPRINGFIELD, IL 62756



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MAIL TO:

SECRETARY OF STATE  
INDEX DEPARTMENT  
111 E. MONROE  
SPRINGFIELD, IL 62701